



State of Wisconsin
2007 - 2008 LEGISLATURE

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2007 SENATE BILL 258

September 6, 2007 - Introduced by Senator LAZICH, cosponsored by Representatives PRIDEMORE, OWENS, ROTH and J. OTT. Referred to Committee on Commerce, Utilities and Rail.

1 **AN ACT** *to repeal* 38.04 (15), 38.08 (1g), (2) and (2m), 38.10, 60.72 (8) (b), 60.74
2 (1), 60.74 (2), 60.74 (3) (b), 60.74 (4), 60.74 (5), 60.74 (5m), 60.74 (6), 60.75 (1)
3 (b), 60.75 (2) (c), 60.75 (3) (c), 60.76 (1) (b), 200.09 (9), 200.09 (11), 200.09 (11)
4 (a), 200.09 (11) (am) 2. and 3., 200.09 (11) (b), 200.15 (4), 200.25 (1) to (4), 200.25
5 (8), 229.42 (4) (a) to (f), 229.42 (7) (b) 2. and 3., 229.822 (2) (a) to (c), 229.842 (2)
6 (a) to (d), 229.842 (3) (a) 1. to 4., 229.842 (3) (b) and 229.842 (4); **to renumber**
7 **and amend** 60.74 (3) (a), 60.75 (1) (a), 60.76 (1) (a), 66.0217 (10) (b), 200.09 (11)
8 (am) 1., 229.42 (4) (intro.), 229.42 (7) (b) 1., 229.822 (2) (intro.), 229.842 (2)
9 (intro.) and 229.842 (3) (a) (intro.); **to amend** 5.01 (4) (a), 5.02 (3), (5) and (23),
10 5.15 (1) (c), 5.58 (1r), 5.58 (2m), 5.58 (3), 5.60 (1) (title), 5.60 (1) (b), 5.60 (4m),
11 5.60 (6m), 7.10 (1) (a), 7.51 (3) (b), 7.51 (3) (d), 7.51 (4) (b), 7.51 (5) (a) 2. and 3.
12 and (b), 7.60 (4) (a), 7.60 (5) (a), 7.70 (3) (d), 8.10 (3) (cm), 8.10 (3) (d), 8.10 (6)
13 (a), 8.11 (1) (a), (b) and (d), 9.10 (1) (a), 9.10 (2) (b), 9.10 (2) (d), 9.10 (3) (a), 9.10
14 (4) (a), 9.10 (4) (d), 9.10 (7), 10.05, 11.02 (3), 11.26 (1) (c), 11.26 (1) (d) 2., 11.26

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1 (2) (c), 11.26 (2) (e) 2., 11.31 (1) (f), 11.31 (1) (g) (intro.), 17.13 (intro.), 17.13 (3),
2 17.27 (1m), 38.08 (1) (b), 60.72 (8) (a), 60.72 (8) (d), 60.75 (2) (a), 60.75 (2) (b),
3 60.75 (2) (d), 60.75 (3) (a), 60.75 (3) (b), 60.75 (4), 60.785 (2) (b), 66.0219 (2) (a),
4 66.0227 (3), 67.05 (5) (a), 67.05 (7) (b), 67.05 (7) (e), 200.09 (1), 200.11 (9), 200.27
5 (1), 200.27 (3), 229.42 (3), 229.42 (5), 229.42 (6), 229.42 (7) (a), 229.435, 229.822
6 (3), 229.822 (6), 229.842 (1) (b), 229.842 (3) (c) and 229.842 (7); **to repeal and**
7 **recreate** 17.27 (3), 38.08 (1) (a), 200.23 (2) and 200.25 (7) (a); and **to create** 5.15
8 (2) (f) 6., 5.58 (1t), 5.58 (2s), 5.60 (1) (aL), 5.60 (4n), 7.53 (3n), 7.70 (6), 8.10 (3)
9 (ae), 8.10 (6) (f), 8.10 (6) (g), 8.11 (2g), 8.11 (6), 8.11 (7), 8.11 (8), 8.11 (10), 11.02
10 (9) to (12), 11.02 (14) and (15), 11.31 (1) (g) 1. d., 17.01 (9m), 17.01 (10m), 17.01
11 (11n), 17.02 (2), 17.02 (5), 17.17 (2) and (2m), 17.27 (1g), 38.06 (6), 38.08 (1) (c),
12 38.08 (6), 66.0217 (10) (b) 1. to 3. and 229.42 (7) (c) of the statutes; **relating to:**
13 governance of metropolitan sewerage districts created by 1st class cities;
14 popular election of metropolitan sewerage commissions in other sewerage
15 districts, town sanitary district commissions, governing boards of local
16 exposition, local professional baseball park, professional football stadium, and
17 cultural arts districts, and technical college district boards; providing an
18 exemption from and extending the time limit for emergency rule procedures;
19 and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Currently, the members of a metropolitan sewerage district commission in sewerage districts not created by first class cities and the members of town sanitary district commissions may be elected or appointed. Currently, the members of the metropolitan sewerage district commission in a sewerage district created by a first class city and the members of the governing boards of local exposition, professional baseball park, professional football stadium, and cultural arts districts are appointed. This bill provides for the popular election of all members of these

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commissions and boards, except the members of a professional baseball park district board, on a nonpartisan ballot at the spring election, beginning in 2009.

Milwaukee Metropolitan Sewerage Commission

Currently, the membership of the commission governing a metropolitan sewerage district created by a first class city — currently only the Milwaukee Metropolitan Sewerage District (MMSD) — is composed of not less than nine nor more than 13 members who are appointed by the mayor of the first class city and an executive council consisting of the chief elective officers of the other cities and the villages and towns that are wholly or partly contained within the district. Members serve for three-year terms. The allocation of seats between the first class city and the other municipalities is determined on the basis of the populations of the first class city and the other territory within the district relative to the population of the district. Commissioners may be removed by their appointing authorities at any time, and vacancies are filled in the same manner that regular appointments are made.

This bill provides instead for an 11-member commission to be elected by the electors of the metropolitan sewerage district on a nonpartisan ballot at the spring election. Under the bill, each member is elected to represent a subdistrict within the metropolitan sewerage district. Subdistricts must be equal in population, insofar as practicable. A member must reside within the subdistrict from which he or she is elected. Members serve for two-year terms, with the terms of those members representing even-numbered subdistricts expiring in even-numbered years and the terms of those members representing odd-numbered subdistricts expiring in odd-numbered years. Commissioners may be removed from office by a circuit court for cause and are subject to recall in the same manner as is currently provided for municipal elective officers. Vacancies are filled by appointment of the remaining members of the commission until a successor can be chosen at the spring election. Nomination paper signature requirements and contribution limits are the same as currently provided for other local offices, and spending guidelines are the same as for the office of county supervisor in counties having a population of 500,000 or more. Candidates for the office of commissioner are not eligible to receive public grants to finance their campaigns.

Under current law, the chairperson of the MMSD is elected by the other commissioners for a term specified by MMSD rule, although the chairperson is removable at the pleasure of the commission. Under this bill, the chairperson of the MMSD is elected by the other commissioners for a one-year term, and he or she is still removable during his or her term by a majority vote of the other members of the commission.

The bill provides for the commission to redistrict the subdistricts on a decennial basis. Under the bill, each reapportionment plan must provide for each subdistrict to consist of whole wards or municipalities. In addition, the commission must give due consideration to maintaining the compactness of subdistricts, maintaining the integrity of counties and municipalities within subdistricts, maintaining communities of interest within subdistricts, and fostering politically competitive subdistricts. However, the bill provides for the initial plan of apportionment of the subdistricts within the metropolitan sewerage district to be prescribed by state law

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pursuant to the recommendations of a special legislative committee which is charged by the bill with recommending an initial apportionment plan to the legislature. The bill provides that the plan is subject to the same standards that apply to a decennial reapportionment plan. Under the bill, the committee consists of ten members, including four members of the majority party within each house and one member of the minority party within each house. Each house must ensure that at least three of its appointees represent legislative districts that are wholly or partially contained within the metropolitan sewerage district. The enacted plan remains in effect until the next decennial census.

Other metropolitan sewerage commissions

Currently, the commissioners of a metropolitan sewerage district that does not include territory within a first class city are appointed by the county board or boards of supervisors of the county or counties having territory within the district or by the municipalities having territory in the district, except that if the governing bodies of all municipalities having territory within a district so determine, the commissioners are elected at large on a nonpartisan ballot at the spring election.

This bill provides that the commissioners of all metropolitan sewerage districts that do not include territory within a first class city shall be elected at large on a nonpartisan ballot at the spring election. Under the bill, the terms of service, method for filling vacancies, nomination paper signature requirements, and contribution limits for the office of commissioner in such districts are the same as currently provided for elective commissioners of the districts. Candidates for the office of commissioner are not eligible to receive public grants to finance their campaigns.

Town sanitary district commissions

Currently, one or more towns may organize a town sanitary district. The boundaries of the district need not be coterminous with any town. Each district is governed by a town sanitary district commission consisting of three members who serve at large for six-year terms, except that if a district is contained entirely within one town, the town board may constitute itself as the commission. Alternatively, the town board may provide for the appointment of commissioners, or may provide for the election of commissioners on a nonpartisan ballot at the spring election. If a district is contained within more than one town, the town board of the town containing the largest portion of the equalized full value of taxable property in the district may provide for the appointment or election of commissioners. Upon petition of a number of electors of the town equaling at least 20 percent of the vote cast for governor in the district at the last election, the district must change the method of selection of commissioners from appointment to election, and if a petition is approved by the electors of the district in a referendum, must change the method of selection of commissioners from election to appointment.

This bill provides for the election of each town sanitary district commission by the electors of the district at large on a nonpartisan ballot at the spring election. Under the bill, commissioners continue to serve for staggered six-year terms. The bill provides that the method of filling vacancies, nomination paper signature requirements, and contribution limits for the office of commissioner are the same as currently provided for elected commissioners of town sanitary districts. Under the

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bill, candidates for the office of commissioner are not eligible to receive public grants to finance their campaigns.

Technical college district boards

Currently, the state technical college system is managed on the local level by district boards consisting of nine members in each of the state's 16 technical college districts. The members of the technical college district board for each district are appointed by an appointment committee consisting of local elected officials in accordance with a representation plan based upon population distribution within the district, including distribution of women and minorities. All members of district boards must be residents of the district. Two members must be employers and two members must be employees. One member must be a school district administrator of a school district that lies within the technical college district. All members serve for three-year terms.

This bill provides for the election of all members of district boards from election districts within each technical college district on a nonpartisan ballot at the spring election. Each member must be an elector of the election district from which he or she is elected. Terms are changed to four years. Board members may be removed from office by a circuit court for cause and are subject to recall in the same manner as is currently provided for municipal elective officers. Vacancies are filled by appointment of the remaining members of the board until a successor can be chosen at the spring election. Under the bill, current district board members serve until July 1, 2009, at which time district board members who are elected at the 2009 spring election take office. The terms of the members are staggered so that at least two are elected every year. Nomination paper signature requirements, contribution limits, and spending guidelines are the same as currently provided for the office of representative to the assembly. Candidates for the district board are not eligible to receive public grants to finance their campaigns.

Local exposition district boards of directors

Currently, any municipality or combination of two or more municipalities may create an exposition district, the territory of which is coterminous with the territory of the sponsoring municipality or municipalities, except that if the sponsoring municipality is a first class city, the territory of the district is coterminous with that municipality and each city or village that is wholly or partly contained within the most populous county in which the city is located. The district is governed by a board of directors whose members are appointed by the chief executive officer or officers of the sponsoring municipality or municipalities, subject to confirmation by the municipal governing body or bodies. The number of members of a board of directors varies depending upon which municipality sponsors the district and whether there is more than one such municipality. Board members must be qualified to serve in accordance with certain statutory membership categories. Board members serve for staggered three-year terms.

This bill provides for the election of all members of local exposition district boards for staggered three-year terms at large by the electors of the district on a nonpartisan ballot at the spring election. Under the bill, all board members must be residents of the district. The bill permits the current appointing authorities or

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authorities to appoint initial board members in a newly created district and to fill vacancies by appointment. Nomination paper signature requirements and contribution limits are the same as currently established for local offices in special purpose districts. Under the bill, candidates for the office of board member are not eligible to receive public grants to finance their campaigns.

Local professional baseball park district boards

Currently, there is created a professional baseball park district in each county with a population of 600,000 or more and all counties that are contiguous to that county that are not included within another such district. The district is governed by a district board whose members are appointed, in numbers specified in the statutes, by the governor, subject to confirmation by the senate, by the chief executive officers of the counties within the district, and by the mayor or common council president of the most populous city within the district. Currently, there exists one professional baseball park district in this state which has a district board consisting of 13 members.

This bill creates a special committee for each local professional baseball park district that is in existence on the day the bill becomes law. The committee consists of the county executive (or the county board chairperson if there is no executive) of each county that has territory within the district. The committee is directed to report to the 2009 legislature when it convenes concerning the committee's recommendation for a process for popular election of the members of the district board of the district.

Local professional football stadium district boards

Currently, there is created a professional football stadium district in each county with a population of more than 150,000 in which is located the principal site of a stadium that is home to a professional football team that meets certain specified statutory criteria. The district is governed by a district board whose members are appointed, in numbers specified in the statutes, by the mayor of the most populous city that is located wholly or partly within the district, the chief elected official of each other municipality that is located wholly or partly within the district, and the county executive or board chairperson of the county in which the football stadium is located. Currently, there exists one professional football stadium district in this state which has a district board consisting of eight members.

Local cultural arts district boards

Currently, any city with a population of more than 150,000 may create a cultural arts district, the boundaries of which are coterminous with the boundaries of the city. The district is governed by a district board. If the sponsoring city is a first class city, the common council determines the membership and method of selection of the district board members. If the sponsoring city is not a first class city, the governor, mayor of the sponsoring city, and county executive or their designees serve as members of the district board, and the governor may appoint three additional members, the mayor may appoint six additional members, and the county executive may appoint one additional member.

This bill provides for the election of all members of each cultural arts district board for staggered four-year terms at large by the electors of the district on a

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nonpartisan ballot at the spring election. Under the bill, all district board members must have resided within 25 miles of the sponsoring city's city hall for at least one year prior to assuming office. The bill permits a committee consisting of the governor, the mayor of the sponsoring city, and the county executive or board chairperson of the county in which the largest portion of the population of the sponsoring city is located to appoint initial district board members in a newly created district and to fill vacancies by appointment. Nomination paper signature requirements and contribution limits are the same as currently established for local offices in special purpose districts. Under the bill, candidates for the office of district board member are not eligible to receive public grants to finance their campaigns.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 5.01 (4) (a) of the statutes is amended to read:

2 5.01 (4) (a) If 2 or more candidates for the same office receive the greatest, but
3 an equal number of votes, the winner shall be chosen by lot in the presence of the
4 board of canvassers charged with the responsibility to determine the election, or in
5 the case of an election for state or national office or metropolitan sewerage
6 commissioner, if the ~~commissioner~~ metropolitan sewerage district is elected
7 organized under s. 200.09 (11) ~~(am)~~ subch. I of ch. 200, in the presence of the
8 chairperson of the board or the chairperson's designee.

9 **SECTION 2.** 5.02 (3), (5) and (23) of the statutes are amended to read:

10 5.02 (3) "Educational officer" means the state superintendent, a member of a
11 technical college district board, and a school board members member.

12 (5) "General election" means the election held in even-numbered years on the
13 Tuesday after the first Monday in November to elect United States senators,
14 representatives in congress, presidential electors, state senators, representatives to
15 the assembly, district attorneys, state officers other than the state superintendent,

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1 members of the technical college district boards, and judicial officers, and county
2 officers other than supervisors and county executives.

3 (23) "State office" means the offices of governor, lieutenant governor, secretary
4 of state, state treasurer, attorney general, state superintendent, justice of the
5 supreme court, court of appeals judge, circuit court judge, state senator, state
6 representative to the assembly and, district attorney, and member of a technical
7 college district board.

8 **SECTION 3.** 5.15 (1) (c) of the statutes is amended to read:

9 5.15 (1) (c) The wards established by municipal governing bodies under this
10 section on the basis of the published results of each federal decennial census of
11 population shall govern the adjustment of supervisory districts under s. 59.10 (2) (a)
12 and (3) (b) and of aldermanic districts under s. 62.08 (1) for the purpose of local
13 elections beginning on January 1 of the 2nd year commencing after the year of the
14 census until revised under this section on the basis of the results of the next
15 decennial census of population unless adjusted under sub. (2) (f) 4. or 6., (6) (a) or (7),
16 or unless adjusted, as a matter of statewide concern, in the enactment of legislative
17 districts under article IV, section 3, of the constitution on the basis of the most recent
18 decennial census of population.

19 **SECTION 4.** 5.15 (2) (f) 6. of the statutes is created to read:

20 5.15 (2) (f) 6. That part of a metropolitan sewerage district created under s.
21 200.23 required to create a subdistrict under s. 200.25 (7) (a) that has a population
22 which is, as nearly as practicable, equal to other subdistricts in the metropolitan
23 sewerage district.

24 **SECTION 5.** 5.58 (1r) of the statutes is amended to read:

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1 5.58 (1r) TOWN SANITARY DISTRICT COMMISSION. There shall be a separate ballot
2 for members of the town sanitary district commission if ~~commissioners are elected~~
3 ~~under s. 60.74~~ and the boundaries of the district are not coterminous with one or more
4 towns, except as authorized in s. 5.655. Candidates for different seats shall be listed
5 in separate columns or rows if more than one seat is contested in any election.
6 Arrangement of the names on the ballot shall be determined by the town clerk of the
7 town ~~whose board of supervisors directs the election~~ in which the district is located
8 or, if located in more than one town, of the town containing the largest portion of the
9 equalized full value of taxable property within the district, in the same manner as
10 provided in s. 5.60 (1) (b).

11 **SECTION 6.** 5.58 (1t) of the statutes is created to read:

12 5.58 (1t) EXPOSITION DISTRICT BOARD OF DIRECTORS. There shall be a separate
13 ballot for members of the exposition district board of directors whenever the
14 exposition district is not coterminous with the boundaries of a single municipality,
15 except as authorized under s. 5.655. Candidates for different seats shall be listed in
16 separate columns or rows. Arrangement of the names on the ballot shall be
17 determined by the county clerk or executive director of the board of election
18 commissioners of the county in which the greatest portion of the population of the
19 district is located, in the same manner as provided under s. 5.60 (1) (b).

20 **SECTION 7.** 5.58 (2m) of the statutes is amended to read:

21 5.58 (2m) METROPOLITAN SEWERAGE COMMISSION. Except as authorized in s.
22 5.655, there shall be a separate ballot for members of the metropolitan sewerage
23 commission if ~~commissioners are elected under s. 200.09 (11) (am), with.~~ In districts
24 created under s. 200.23, the ballot shall list the names of the candidates for
25 metropolitan sewerage commissioner from the subdistrict for the ward or election

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1 district in which the ballot is used. In other districts, the names of the candidates
2 for different seats shall be listed in separate columns or rows if more than one seat
3 is contested at any election. Arrangement of the names on the ballot shall be
4 determined by the board, except that in metropolitan sewerage districts created
5 under s. 200.23, arrangement of the names on the ballot shall be determined by the
6 secretary of the metropolitan sewerage district.

7 **SECTION 8.** 5.58 (2s) of the statutes is created to read:

8 5.58 (2s) TECHNICAL COLLEGE DISTRICT BOARD. When required, there shall be a
9 separate ballot for member of a technical college district board. Arrangement of the
10 names on the ballot shall be determined by the elections board under s. 5.60 (1) (b).
11 The ballot shall be titled “Official Primary Ballot for (name of district) Technical
12 College District Board.”

13 **SECTION 9.** 5.58 (3) of the statutes is amended to read:

14 5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,
15 for any judicial office, for any elected seat on a metropolitan sewerage commission
16 or town sanitary district commission, for member of a technical college district board
17 from any election district, or for any seat on an exposition district board of directors,
18 a professional baseball park district board, a professional football stadium district
19 board, or a cultural arts district board, in counties having a population of 500,000 or
20 more only 2 candidates for member of the board of supervisors within each district,
21 in counties having a population of less than 500,000 only 2 candidates for each
22 member of the county board of supervisors from each district or numbered seat or
23 only 4 candidates for each 2 members of the county board of supervisors from each
24 district whenever 2 supervisors are elected to unnumbered seats from the same
25 district, in 1st class cities only 2 candidates for any at-large seat and only 2

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1 candidates from any election district to be elected to the board of school directors, in
2 school districts electing school board members to numbered seats, or pursuant to an
3 apportionment plan or district representation plan, only 2 school board candidates
4 for each numbered seat or within each district, and twice as many candidates as are
5 to be elected members of other school boards or other elective officers receiving the
6 highest number of votes at the primary shall be nominees for the office at the spring
7 election. Only their names shall appear on the official spring ballot.

8 **SECTION 10.** 5.60 (1) (title) of the statutes is amended to read:

9 5.60 (1) (title) ~~STATE SUPERINTENDENT~~ NONPARTISAN STATE OFFICERS; JUDICIARY;
10 COUNTY EXECUTIVE AND; COUNTY SUPERVISORS SUPERVISOR; LOCAL DISTRICT OFFICERS.

11 **SECTION 11.** 5.60 (1) (aL) of the statutes is created to read:

12 5.60 (1) (aL) There shall be a separate ballot for the seat of each member of the
13 technical college district board in the election district when so required. The
14 elections board shall determine the official ballot arrangement for technical college
15 district board candidates by using the same method as that used under par. (b).

16 **SECTION 12.** 5.60 (1) (b) of the statutes is amended to read:

17 5.60 (1) (b) The board shall certify the candidates' names and designate the
18 official ballot arrangement for candidates for state superintendent, justice, court of
19 appeals judge, member of a technical college district board, circuit judge and, ~~if~~
20 ~~commissioners are elected under s. 200.09 (11) (am),~~ the metropolitan sewerage
21 commission if the metropolitan sewerage district is organized under subch. I of ch.
22 200. The arrangement of names of all candidates on the ballot whose nomination
23 papers are filed with the board shall be determined by the board by the drawing of
24 lots not later than the 2nd Tuesday in January, or the next day if the first Tuesday
25 is a holiday. Whenever a primary is held for an office, a 2nd drawing of all candidates

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1 for that office shall be held by or under the supervision of the board not later than
2 the 3rd day following the completion of the primary canvass to determine the
3 arrangement of candidates on the election ballot. In metropolitan sewerage districts
4 created under s. 200.23, arrangement of the names on the ballot shall be determined
5 by the secretary of the metropolitan sewerage district using the same method as that
6 used by the board under this paragraph.

7 **SECTION 13.** 5.60 (4m) of the statutes is amended to read:

8 5.60 (4m) METROPOLITAN SEWERAGE COMMISSION. A separate ballot shall list the
9 names of all candidates for the metropolitan sewerage commission seats, ~~if~~
10 ~~commissioners are elected under s. 200.09 (11) (am),~~ except as authorized in s. 5.655.
11 The In districts created under s. 200.23, the ballot shall list the names of the
12 candidates for metropolitan sewerage commissioner from the subdistrict for the
13 ward or election district in which the ballot is used. In other districts, the names of
14 the candidates for the different seats shall be placed in separate columns or rows if
15 more than one seat is contested at any election.

16 **SECTION 14.** 5.60 (4n) of the statutes is created to read:

17 5.60 (4n) EXPOSITION DISTRICT BOARD OF DIRECTORS. A separate ballot shall list
18 the names of all candidates for the exposition district board of directors, except as
19 authorized under s. 5.655. The names of the candidates for the different seats shall
20 be placed in separate columns or rows.

21 **SECTION 15.** 5.60 (6m) of the statutes is amended to read:

22 5.60 (6m) TOWN SANITARY DISTRICT COMMISSION. Except as authorized in s. 5.655,
23 a separate ballot shall list the names of all candidates for town sanitary district
24 commission seats, ~~if commissioners are elected under s. 60.74 and the boundaries of~~
25 the district are not coterminous with the boundaries of one or more towns. The

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1 names for different seats shall be placed in separate columns or rows if more than
2 one seat is contested at any election.

3 **SECTION 16.** 7.10 (1) (a) of the statutes is amended to read:

4 7.10 (1) (a) Each county clerk shall provide ballots for every election in the
5 county for all national, state and county offices, including metropolitan sewerage
6 commission elections ~~under s. 200.09 (11) (am),~~ for municipal judges elected under
7 s. 755.01 (4), for an exposition district board of directors whenever the exposition
8 district is not coterminous with the boundaries of a single municipality, and for state
9 and county referenda. The official and sample ballots shall be prepared in
10 substantially the same form as those prescribed by the board under s. 7.08 (1) (a).

11 **SECTION 17.** 7.51 (3) (b) of the statutes is amended to read:

12 7.51 (3) (b) For ballots which relate only to municipal or school district offices
13 or referenda, or offices or referenda of metropolitan sewerage districts created under
14 s. 200.23, the inspectors, in lieu of par. (a), after counting the ballots shall return
15 them to the proper ballot boxes, lock the boxes, paste paper over the slots, sign their
16 names to the paper and deliver them and the keys therefor to the municipal or school
17 district clerk or the secretary of the metropolitan sewerage district. For ballots that
18 relate to an exposition district for which ballots were provided by the county clerk
19 or board of election commissioners of a different county, the inspectors shall return
20 the ballot boxes and keys therefor to the county clerk or board of election
21 commissioners who provided the ballots. The clerk or secretary shall retain the
22 ballots until destruction is authorized under s. 7.23.

23 **SECTION 18.** 7.51 (3) (d) of the statutes is amended to read:

24 7.51 (3) (d) Except in municipalities where absentee ballots are canvassed
25 under s. 7.52, all absentee certificate envelopes which have been opened shall be

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1 returned by the inspectors to the municipal clerk in a securely sealed carrier
2 envelope which is clearly marked "used absentee certificate envelopes". The
3 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when
4 the ballots are used in a municipal or school district election only, or when the ballots
5 are used only in an election affecting a metropolitan sewerage district created under
6 s. 200.23, the municipal clerk shall transmit the used envelopes to the county clerk.

7 **SECTION 19.** 7.51 (4) (b) of the statutes is amended to read:

8 7.51 (4) (b) The chief inspector, or one of the inspectors appointed by him or her,
9 immediately after the votes are tabulated or counted at each election, shall report
10 the returns of the election to the municipal clerk for municipal elections or to the
11 school district clerk for school district elections, except in 1st class cities, or to the
12 secretary of the metropolitan sewerage district for elections in metropolitan
13 sewerage districts created under s. 200.23. The clerk or secretary shall then make
14 the returns public.

15 **SECTION 20.** 7.51 (5) (a) 2. and 3. and (b) of the statutes are amended to read:

16 7.51 (5) (a) 2. After recording the votes, the inspectors shall seal in a carrier
17 envelope outside the ballot bag or container one tally sheet and one poll list for
18 delivery to the county clerk, unless the election relates only to municipal or school
19 district offices or referenda or only to offices in metropolitan sewerage districts
20 created under s. 200.23.

21 3. The inspectors shall also seal the inspectors' statement, inside a separate
22 carrier envelope, and shall similarly seal in a separate carrier envelope one tally
23 sheet and one poll list for delivery to the municipal clerk. For school district
24 elections, except in 1st class cities, the inspectors shall seal one tally sheet and one
25 poll list for delivery to the school district clerk. For elections in metropolitan

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1 sewerage districts created under s. 200.23, the inspectors shall similarly seal one
2 inspectors' statement, one tally sheet and one poll or registration list for delivery to
3 the secretary of the metropolitan sewerage district.

4 (b) The municipal clerk shall deliver all ballots, statements, tally sheets, lists,
5 and envelopes relating to a school district election or a metropolitan sewerage
6 district election in districts created under s. 200.23 to the school district clerk or
7 secretary of the metropolitan sewerage district by 4 p.m. on the day following each
8 such election. The municipal clerk shall deliver the ballots, statements, tally sheets,
9 lists, and envelopes for his or her municipality relating to any county, technical
10 college district, state, or national election to the county clerk no later than 4 p.m. on
11 the day following each such election or, in municipalities where absentee ballots are
12 canvassed under s. 7.52, by 4. p.m. on the 2nd day following each such election, and
13 no later than 4 p.m. on the day after receiving any corrected returns under s. 6.221

14 (6) (b). The person delivering the returns shall be paid out of the municipal treasury.
15 Each clerk and secretary shall retain ballots, statements, tally sheets, or envelopes
16 received by the clerk or secretary until destruction is authorized under s. 7.23 (1).

17 **SECTION 21.** 7.53 (3n) of the statutes is created to read:

18 7.53 (3n) METROPOLITAN SEWERAGE DISTRICT ELECTIONS. In each metropolitan
19 sewerage district created under s. 200.23, the secretary of the district shall appoint
20 2 qualified electors of the district prior to the date of the election being canvassed who
21 shall, with the secretary, constitute the metropolitan sewerage district board of
22 canvassers. The secretary shall designate a deputy who shall perform the secretary's
23 duties as a member of the board of canvassers in the event that the secretary's office
24 is vacant or the secretary cannot perform his or her duties. The canvass shall begin
25 as soon as possible after receipt of the returns and shall continue, without

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1 adjournment, until completed. The board of canvassers may return defective returns
2 to the municipal board of canvassers in the manner provided in s. 7.60 (3). The board
3 of canvassers shall prepare a written statement showing the numbers of votes cast
4 for each person for each office and shall prepare a determination showing the names
5 of the persons who are elected to the metropolitan sewerage commission. Following
6 each primary election, the board of canvassers shall prepare a statement showing the
7 names of persons who have won nomination to the office of metropolitan sewerage
8 commissioner. Each statement and determination shall be attested by each of the
9 canvassers. The board of canvassers shall file each statement and determination in
10 the metropolitan sewerage district office. The secretary of the district shall certify
11 nominations after each primary and issue certificates of election to persons who are
12 elected to the metropolitan sewerage commission after each election in the manner
13 provided under sub. (4).

14 **SECTION 22.** 7.60 (4) (a) of the statutes, as affected by 2007 Wisconsin Act 1, is
15 amended to read:

16 7.60 (4) (a) The board of canvassers shall make separate duplicate statements
17 showing the numbers of votes cast for the offices of president and vice president; state
18 officials; U.S. senators and representatives in congress; state legislators; justice;
19 court of appeals judge; members of the technical college district boards; circuit
20 judges; district attorneys; and metropolitan sewerage commissioners, ~~if the~~
21 ~~commissioners are elected under s. 200.09 (11) (am);~~ members of a professional
22 football stadium district board; and members of an exposition district board
23 whenever the boundaries of an exposition district are not coterminous with the
24 boundaries of a single municipality. If a municipal judge elected under s. 755.01 (4)
25 serves a municipality that is located partially within the county and candidates for

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1 that judgeship file nomination papers in another county, the board of canvassers
2 shall prepare a duplicate statement showing the numbers of votes cast for that
3 judgeship in that county for transmittal to the other county. For partisan candidates,
4 the statements shall include the political party or principle designation, if any, next
5 to the name of each candidate. The board of canvassers shall also prepare a
6 statement showing the results of any county, technical college district or statewide
7 referendum. Each statement shall state the total number of votes cast in the county
8 for each office; the names of all persons for whom the votes were cast, as returned;
9 the number of votes cast for each person; and the number of votes cast for and against
10 any question submitted at a referendum. The board of canvassers shall use one copy
11 of each duplicate statement to report to the government accountability board,
12 technical college district board or board of canvassers of any other county and shall
13 file the other statement in the office of the county clerk or board of election
14 commissioners.

15 **SECTION 23.** 7.60 (5) (a) of the statutes, as affected by 2007 Wisconsin Act 1, is
16 amended to read:

17 7.60 (5) (a) Immediately following the canvass, the county clerk shall deliver
18 or send to the government accountability board, by 1st class mail, a certified copy of
19 each statement of the county board of canvassers for president and vice president,
20 state officials, senators and representatives in congress, state legislators, justice,
21 court of appeals judge, members of the technical college district boards, circuit judge,
22 district attorney, and metropolitan sewerage commissioners, ~~if the commissioners~~
23 ~~are elected under s. 200.09 (11) (am) in a metropolitan sewerage district organization~~
24 under subch. I of ch. 200. The statement shall record the returns for each office or
25 referendum by ward, unless combined returns are authorized under s. 5.15 (6) (b) in

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1 which case the statement shall record the returns for each group of combined wards.
2 Following primaries the county clerk shall enclose on forms prescribed by the
3 government accountability board the names, party or principle designation, if any,
4 and number of votes received by each candidate recorded in the same manner. The
5 county clerk shall deliver or transmit the certified statement to the government
6 accountability board no later than 7 days after each primary except the September
7 primary, no later than 10 days after the September primary and any other election
8 except the general election, and no later than 14 days after the general election. The
9 board of canvassers shall deliver or transmit a certified copy of each statement for
10 any technical college district referendum to the secretary of the technical college
11 district board.

12 **SECTION 24.** 7.70 (3) (d) of the statutes is amended to read:

13 7.70 (3) (d) When the certified statements and returns are received, the
14 chairperson of the board or the chairperson's designee shall proceed to examine and
15 make a statement of the total number of votes cast at any election for the offices
16 involved in the election for president and vice president; a statement for each of the
17 offices of governor, lieutenant governor, if a primary, and a joint statement for the
18 offices of governor and lieutenant governor, if a general election; a statement for each
19 of the offices of secretary of state, state treasurer, attorney general, and state
20 superintendent; for U.S. senator; representative in congress for each congressional
21 district; the state legislature; justice; court of appeals judge; technical college district
22 board members; circuit judge; district attorney; metropolitan sewerage ~~commission,~~
23 ~~if the commissioners are elected under s. 200.09 (11) (am)~~ commissioners in a district
24 organized under subch. I of ch. 200; and for any referenda questions submitted by
25 the legislature.

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1 **SECTION 25.** 7.70 (6) of the statutes is created to read:

2 7.70 (6) TECHNICAL COLLEGE DISTRICT BOARD MEMBERS; DETERMINATIONS. The
3 elections board shall transmit to the secretary of the technical college district board
4 a copy of the certified determination of the chairperson of the elections board or his
5 or her designee for the election of each member of any technical college district board.

6 **SECTION 26.** 8.10 (3) (ae) of the statutes is created to read:

7 8.10 (3) (ae) For the office of member of the technical college district board from
8 any election district, not less than 200 nor more than 400 electors.

9 **SECTION 27.** 8.10 (3) (cm) of the statutes is amended to read:

10 8.10 (3) (cm) For county ~~executives~~ executive or member of a professional
11 football stadium district board in counties over 500,000 population, not less than
12 2,000 nor more than 4,000 electors.

13 **SECTION 28.** 8.10 (3) (d) of the statutes is amended to read:

14 8.10 (3) (d) For county ~~executives~~ executive or member of a professional football
15 stadium district board in counties between 100,000 and 500,000 population, not less
16 than 500 nor more than 1,000 electors.

17 **SECTION 29.** 8.10 (6) (a) of the statutes is amended to read:

18 8.10 (6) (a) For state offices or seats on a metropolitan sewerage commission,
19 ~~if the commissioners are elected under s. 200.09 (11) (am),~~ in a metropolitan
20 sewerage district organized under subch. I of ch. 200, in the office of the board.

21 **SECTION 30.** 8.10 (6) (f) of the statutes is created to read:

22 8.10 (6) (f) For metropolitan sewerage commissioners in districts created under
23 s. 200.23, with the secretary of the metropolitan sewerage district.

24 **SECTION 31.** 8.10 (6) (g) of the statutes is created to read:

SENATE BILL 258**SECTION 31**

1 8.10 (6) (g) For members of a professional baseball park district board, in the
2 office of the board.

3 **SECTION 32.** 8.11 (1) (a), (b) and (d) of the statutes are amended to read:

4 8.11 (1) (a) A primary may be held in any city for the nomination of candidates
5 for city office, for the office of exposition district board member in an exposition
6 district that is coterminous with the boundaries of the city, or for the office of cultural
7 arts district board member. When a majority of all the members of the governing
8 body of a city decide upon a spring primary for any specific election, they shall so
9 provide not later than 3 days after the deadline for filing nomination papers.

10 (b) Any city may provide by charter ordinance, under s. 66.0101, that whenever
11 3 or more candidates file nomination papers for a city office, for the office of exposition
12 district board member in an exposition district that is coterminous with the
13 boundaries of the city, or for the office of cultural arts district board member, a
14 primary to nominate candidates for the office shall be held.

15 (d) When the number of candidates for any city office, for the office of exposition
16 district board member in an exposition district that is coterminous with the
17 boundaries of the city, or for the office of cultural arts district board member does not
18 exceed twice the number to be elected to the office, no primary may be held for the
19 office and the candidates' names shall appear on the ballot for the ensuing election.

20 **SECTION 33.** 8.11 (2g) of the statutes is created to read:

21 8.11 (2g) METROPOLITAN SEWERAGE COMMISSION. (a) A primary shall be held in
22 a metropolitan sewerage district created under s. 200.23 whenever there are more
23 than twice the number of candidates to be elected to the metropolitan sewerage
24 district within any subdistrict.

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1 (b) A primary shall be held in a metropolitan sewerage district organized under
2 subch. I of ch. 200 whenever there are more than twice the number of candidates to
3 be elected to any seat on the metropolitan sewerage commission.

4 **SECTION 34.** 8.11 (6) of the statutes is created to read:

5 8.11 (6) TECHNICAL COLLEGE DISTRICT BOARD MEMBERS. A primary shall be held
6 in an election for any seat on a technical college district board whenever there are
7 more than 2 candidates in any election district.

8 **SECTION 35.** 8.11 (7) of the statutes is created to read:

9 8.11 (7) TOWN SANITARY DISTRICT COMMISSION. A primary shall be held for any
10 seat on a town sanitary district commission in any district that is contained within
11 more than one town whenever there are more than 2 candidates for the office of
12 commissioner at any election.

13 **SECTION 36.** 8.11 (8) of the statutes is created to read:

14 8.11 (8) EXPOSITION DISTRICT BOARD OF DIRECTORS. A primary shall be held for
15 any seat on the board of directors of an exposition district in an exposition district
16 consisting of more than one municipality whenever there are more than 2 candidates
17 for that seat.

18 **SECTION 37.** 8.11 (10) of the statutes is created to read:

19 8.11 (10) PROFESSIONAL FOOTBALL STADIUM DISTRICT BOARD. A primary shall be
20 held for any seat on the district board of a professional football stadium district
21 whenever there are more than 2 candidates for that seat.

22 **SECTION 38.** 9.10 (1) (a) of the statutes is amended to read:

23 9.10 (1) (a) The qualified electors of the state, of any county, city, village, town,
24 town sanitary district, of any congressional, legislative, judicial, technical college,
25 metropolitan sewerage, exposition, professional football stadium, cultural arts, or

SENATE BILL 258**SECTION 38**

1 school district, of any subdistrict within a metropolitan sewerage district created
2 under s. 200.23, or of any prosecutorial unit may petition for the recall of any
3 incumbent elective official by filing a petition with the same official or agency with
4 whom nomination papers or declarations of candidacy for the office are filed
5 demanding the recall of the officeholder.

6 **SECTION 39.** 9.10 (2) (b) of the statutes is amended to read:

7 9.10 (2) (b) A recall petition for a city, village, town, town sanitary district, or
8 technical college, metropolitan sewerage, exposition, professional football stadium,
9 cultural arts, or school district office shall contain a statement of a reason for the
10 recall which is related to the official responsibilities of the official for whom removal
11 is sought.

12 **SECTION 40.** 9.10 (2) (d) of the statutes is amended to read:

13 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless
14 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the
15 filing officer with whom the petition is filed. The petitioner shall append to the
16 registration a statement indicating his or her intent to circulate a recall petition, the
17 name of the officer for whom recall is sought and, in the case of a petition for the recall
18 of a city, village, town, town sanitary district, or technical college, metropolitan
19 sewerage, exposition, professional football stadium, cultural arts, or school district
20 officer, a statement of a reason for the recall which is related to the official
21 responsibilities of the official for whom removal is sought. No petitioner may
22 circulate a petition for the recall of an officer prior to completing registration. The
23 last date ~~that~~ on which a petition for the recall of an officer may be offered for filing
24 is 5 p.m. on the 60th day commencing after registration. After the recall petition has
25 been offered for filing, no name may be added or removed. No signature may be

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1 counted unless the date of the signature is within the period provided in this
2 paragraph.

3 **SECTION 41.** 9.10 (3) (a) of the statutes is amended to read:

4 9.10 (3) (a) This subsection applies to the recall of all elective officials other
5 than city, village, town, town sanitary district, and technical college, metropolitan
6 sewerage, exposition, professional football stadium, cultural arts, and school district
7 officials. City, village, town, town sanitary district, and technical college,
8 metropolitan sewerage, exposition, professional football stadium, cultural arts, and
9 school district officials are recalled under sub. (4).

10 **SECTION 42.** 9.10 (4) (a) of the statutes is amended to read:

11 9.10 (4) (a) Within 10 days after a petition for the recall of a city, village, town,
12 town sanitary district, or technical college, metropolitan sewerage, exposition,
13 professional football stadium, cultural arts, or school district official, is offered for
14 filing, the officer against whom the petition is filed may file a written challenge with
15 the ~~municipal clerk or board of election commissioners or school district clerk~~ official
16 or agency with whom ~~it~~ the petition is filed, specifying any alleged insufficiency. If
17 a challenge is filed, the petitioner may file a written rebuttal to the challenge with
18 the ~~clerk or board of election commissioners~~ official or agency within 5 days after the
19 challenge is filed. If a rebuttal is filed, the officer against whom the petition is filed
20 may file a reply to any new matter raised in the rebuttal within 2 days after the
21 rebuttal is filed. Within 14 days after the expiration of the time allowed for filing a
22 reply to a rebuttal, the ~~clerk or board of election commissioners~~ official or agency
23 shall file the certificate or an amended certificate. Within 31 days after the petition
24 is offered for filing, the ~~clerk or board of election commissioners~~ official or agency
25 shall determine by careful examination of the face of the petition whether the

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1 petition is sufficient and shall so state in a certificate issued by the official or agency
2 attached to the petition. If the petition is found to be insufficient, the certificate shall
3 state the particulars creating the insufficiency. The petition may be amended to
4 correct any insufficiency within 5 days following the affixing of the original
5 certificate. Within 2 days after the offering of the amended petition for filing, the
6 ~~clerk or board of election commissioners~~ official or agency shall again carefully
7 examine the face of the petition to determine sufficiency and shall attach to the
8 petition a certificate stating the findings. Immediately upon finding an original or
9 amended petition sufficient, except in town sanitary districts, and technical college,
10 metropolitan sewerage, exposition, professional football stadium, and cultural arts
11 districts, and cities over 500,000 population, ~~the municipal clerk or school district~~
12 ~~clerk~~ the official shall transmit the petition to the governing body or to the school
13 board. Immediately Except with regard to a petition filed against a metropolitan
14 sewerage commissioner or cultural arts district board member, immediately upon
15 finding an original or amended petition sufficient, in cities over 500,000 population,
16 the board of election commissioners shall file the petition in its office. Immediately
17 upon finding an original or amended petition offered for filing against a metropolitan
18 sewerage commissioner to be sufficient in a metropolitan sewerage district created
19 under s. 200.23, the secretary of the metropolitan sewerage district shall file the
20 petition in his or her office and shall transmit a copy of the petition to the
21 metropolitan sewerage commission. Immediately upon finding an original or
22 amended petition sufficient, in a technical college district or a metropolitan sewerage
23 district organized under subch. I of ch. 200, the elections board shall file the petition
24 in its office. Immediately upon finding an original or amended petition offered for
25 filing against a town sanitary district commissioner to be sufficient in a town

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1 sanitary district, the secretary of the district shall file the petition in his or her office
2 and transmit a copy to the town sanitary district commission. Immediately upon
3 finding an original or amended petition sufficient in an exposition district the
4 boundaries of which are not coterminous with the boundaries of a single
5 municipality, the county clerk or board of election commissioners shall file the
6 petition in the office of the clerk or board of election commissioners. Immediately
7 upon finding an original or amended petition sufficient in a professional football
8 stadium district, the county clerk or board of election commissioners shall file the
9 petition in the office of the clerk or board of election commissioners. Immediately
10 upon finding an original or amended petition sufficient in a cultural arts district, the
11 city clerk or board of election commissioners shall file the petition in the office of the
12 clerk or board of election commissioners.

13 **SECTION 43.** 9.10 (4) (d) of the statutes is amended to read:

14 9.10 (4) (d) Promptly upon receipt of a certificate or copy of the certificate issued
15 under par. (a), the governing body, school board, or county clerk, city clerk, board of
16 election commissioners, metropolitan sewerage commission, town sanitary district
17 commission, or elections board shall call a recall election. The recall election shall
18 be held on the Tuesday of the 6th week commencing after the date on which the
19 certificate is filed, except that if Tuesday is a legal holiday the recall election shall
20 be held on the first day after Tuesday which is not a legal holiday.

21 **SECTION 44.** 9.10 (7) of the statutes is amended to read:

22 9.10 (7) PURPOSE. The purpose of this section is to facilitate the operation of
23 article XIII, section 12, of the constitution and to extend the same rights to electors
24 of cities, villages, towns, town sanitary districts, and technical college, metropolitan

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1 sewerage, exposition, professional football stadium, cultural arts, and school
2 districts.

3 **SECTION 45.** 10.05 of the statutes is amended to read:

4 **10.05 Posting of notice.** Unless specifically designated elsewhere, this
5 section applies to villages, towns ~~and, town sanitary districts, and technical college,~~
6 metropolitan sewerage, exposition, professional football stadium, cultural arts, and
7 school districts. Whenever a notice is required to be published, a village, town ~~or,~~
8 town sanitary district, or technical college, metropolitan sewerage, exposition,
9 professional football stadium, cultural arts, or school district may post 3 notices in
10 lieu of publication under ch. 985 whenever there is not a newspaper published within
11 the village, town ~~or, town sanitary district, or technical college, metropolitan~~
12 sewerage, exposition, professional football stadium, cultural arts, or school district
13 or whenever the governing body of the village, town ~~or, town sanitary district, or~~
14 technical college, metropolitan sewerage, exposition, professional football stadium,
15 cultural arts, or school district chooses to post in order to supplement notice provided
16 in a newspaper. Whenever the manner of giving notice is changed by the governing
17 body, the body shall give notice of the change in the manner used before the change.
18 Whenever posting is used, the notices shall be posted no later than the day prescribed
19 by law for publication, or if that day falls within the week preceding the election to
20 be noticed, at least one week before the election. All notices given for the same
21 election shall be given in the same manner.

22 **SECTION 46.** 11.02 (3) of the statutes is amended to read:

23 11.02 (3) Except as provided in ~~sub.~~ subs. (3e), (9), (10), and (11), the “filing
24 officer” for each candidate for local office and for each committee which or individual
25 who is acting in support of or in opposition to any candidate for local office, but not

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1 any candidate for state office, is the clerk of the most populous jurisdiction for which
2 any candidate who is supported or opposed seeks office.

3 **SECTION 47.** 11.02 (9) to (12) of the statutes are created to read:

4 11.02 (9) If the jurisdiction under sub. (3) is a metropolitan sewerage district
5 created under s. 200.23, the filing officer is the secretary of the metropolitan
6 sewerage district.

7 (10) If the jurisdiction under sub. (3) is a metropolitan sewerage district
8 organized under subch. I of ch. 200, the filing officer is the board.

9 (11) If the jurisdiction under sub. (3) is a town sanitary district, the filing officer
10 is the secretary of the district.

11 (12) If the jurisdiction under sub. (3) is an exposition district the boundaries
12 of which are coterminous with the boundaries of a single municipality, the filing
13 officer is the municipal clerk or board of election commissioners of that municipality.
14 If the jurisdiction under sub. (3) is an exposition district the boundaries of which are
15 not coterminous with the boundaries of a single municipality, the filing officer is the
16 county clerk or board of election commissioners of the county in which the largest
17 portion of the population of the district is contained.

18 **SECTION 48.** 11.02 (14) and (15) of the statutes are created to read:

19 11.02 (14) If the jurisdiction under sub. (3) is a professional football stadium
20 district, the filing officer is the county clerk or board of election commissioners of the
21 county in which the district is contained.

22 (15) If the jurisdiction under sub. (3) is a cultural arts district, the filing officer
23 is the city clerk or board of election commissioners of the city in which the district is
24 contained.

25 **SECTION 49.** 11.26 (1) (c) of the statutes is amended to read:

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1 11.26 (1) (c) Candidates for representative to the assembly or member of a
2 technical college district board, \$500.

3 **SECTION 50.** 11.26 (1) (d) 2. of the statutes is amended to read:

4 11.26 (1) (d) 2. One cent times the number of inhabitants of the jurisdiction ~~or~~,
5 district, or subdistrict, according to the latest federal census or the census
6 information on which the district or subdistrict is based, as certified by the
7 appropriate filing officer, but not more than \$3,000.

8 **SECTION 51.** 11.26 (2) (c) of the statutes is amended to read:

9 11.26 (2) (c) Candidates for representative to the assembly or member of a
10 technical college district board, \$500.

11 **SECTION 52.** 11.26 (2) (e) 2. of the statutes is amended to read:

12 11.26 (2) (e) 2. Three-fourths of one cent times the number of inhabitants of
13 the jurisdiction ~~or~~, district, or subdistrict, according to the latest federal census or the
14 census information on which the district, or subdistrict is based, as certified by the
15 appropriate filing officer, but not more than \$2,500.

16 **SECTION 53.** 11.31 (1) (f) of the statutes is amended to read:

17 11.31 (1) (f) Candidates for representative to the assembly or member of a
18 technical college district board, \$17,250 total in the primary and election, with
19 disbursements not exceeding \$10,775 for either the primary or the election.

20 **SECTION 54.** 11.31 (1) (g) (intro.) of the statutes is amended to read:

21 11.31 (1) (g) (intro.) In any jurisdiction or district, other than a technical college
22 district or judicial district or circuit, with a population of 500,000 or more according
23 to the most recent federal census covering the entire jurisdiction or district:

24 **SECTION 55.** 11.31 (1) (g) 1. d. of the statutes is created to read:

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1 11.31 (1) (g) 1. d. Candidates for metropolitan sewerage commissioner in a
2 district created under s. 200.23, \$17,250.

3 **SECTION 56.** 17.01 (9m) of the statutes is created to read:

4 17.01 (9m) By a town sanitary district officer, to the secretary of the district.

5 **SECTION 57.** 17.01 (10m) of the statutes is created to read:

6 17.01 (10m) By a member of a technical college district board, to the secretary
7 of the district board.

8 **SECTION 58.** 17.01 (11n) of the statutes is created to read:

9 17.01 (11n) By a member of the metropolitan sewerage commission in a district
10 created under s. 200.23, to the secretary of the metropolitan sewerage district. The
11 secretary shall immediately give a copy of each resignation under this subsection to
12 the elections board and to the county and municipal clerk or board of election
13 commissioners of each county and municipality that has territory within the district.

14 **SECTION 59.** 17.02 (2) of the statutes is created to read:

15 17.02 (2) TECHNICAL COLLEGE DISTRICT BOARD. Of the resignation of a member
16 of a technical college district board, by the secretary of the district board to the
17 elections board.

18 **SECTION 60.** 17.02 (5) of the statutes is created to read:

19 17.02 (5) METROPOLITAN SEWERAGE COMMISSIONERS. Of the resignation of a
20 commissioner of a metropolitan sewerage district in a district organized under
21 subch. I of ch. 200, by the secretary of the metropolitan sewerage district to the
22 elections board.

23 **SECTION 61.** 17.13 (intro.) of the statutes is amended to read:

24 **17.13 Removal of village, town, town sanitary district, school district,**
25 **technical college and district, family care district, and metropolitan**

SENATE BILL 258**SECTION 61**

1 **sewerage district officers.** (intro.) Officers of towns, town sanitary districts,
2 villages, school districts, technical college districts ~~and~~, family care districts, and
3 metropolitan sewerage districts created under s. 200.23 may be removed as follows:

4 **SECTION 62.** 17.13 (3) of the statutes is amended to read:

5 17.13 (3) ALL OFFICERS. Any officer of a village, town, town sanitary district,
6 school district ~~or~~, technical college district ~~officer~~, or metropolitan sewerage district
7 created under s. 200.23, elective or appointive, including those embraced within
8 subs. (1) and (2), by ~~the~~ a judge of the circuit court of ~~the~~ a circuit wherein the village,
9 town, town sanitary district, school district ~~or~~, technical college district, or
10 metropolitan sewerage district is situated, for cause.

11 **SECTION 63.** 17.17 (2) and (2m) of the statutes are created to read:

12 17.17 (2) TECHNICAL COLLEGE DISTRICT BOARD. In the office of member of a
13 technical college district board, by the secretary of the district board to the elections
14 board.

15 (2m) METROPOLITAN SEWERAGE DISTRICT COMMISSION. In the office of
16 commissioner of a metropolitan sewerage district created under subch. I of ch. 200,
17 by the secretary of the metropolitan sewerage district to the board.

18 **SECTION 64.** 17.27 (1g) of the statutes is created to read:

19 17.27 (1g) METROPOLITAN SEWERAGE COMMISSION SERVING 1ST CLASS CITY. Except
20 as provided in s. 9.10, a vacancy in the office of metropolitan sewerage commissioner
21 in any metropolitan sewerage district created under s. 200.23 may be filled by
22 temporary appointment of the remaining members of the commission. The
23 temporary appointee shall serve for the residue of the unexpired term or until a
24 successor is elected and qualified under this subsection, whichever occurs first. If
25 the vacancy occurs in any year after the first Tuesday in April and on or before

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1 December 1, the vacancy shall be filled for the residue of the unexpired term, if any,
2 on the date of the next spring election. If the vacancy occurs in any year after
3 December 1 or on or before the first Tuesday in April, the vacancy shall be filled for
4 the residue of the unexpired term, if any, at the 2nd succeeding spring election.

5 **SECTION 65.** 17.27 (1m) of the statutes is amended to read:

6 17.27 (1m) ~~METROPOLITAN~~ OTHER METROPOLITAN SEWERAGE COMMISSION
7 COMMISSIONS. Vacancies in the office of any ~~directly~~ elected member of a metropolitan
8 sewerage commission in a metropolitan sewerage district organized under s. 200.09
9 ~~(11) (am)~~ subch. I of ch. 200 shall be filled by temporary appointment of the governor
10 until a successor is elected and qualified. A successor shall be elected in the manner
11 prescribed for filling vacancies in elective city offices under s. 17.23 (1) (a).

12 **SECTION 66.** 17.27 (3) of the statutes is repealed and recreated to read:

13 17.27 (3) TECHNICAL COLLEGE DISTRICT BOARD. Except as provided in s. 9.10, a
14 vacancy in the office of member of a technical college district board may be filled by
15 temporary appointment of the remaining members of the district board. The
16 temporary appointee shall serve until a successor is elected and qualifies. If the
17 vacancy occurs in any year after the first Tuesday in April and on or before December
18 1, the vacancy shall be filled for the residue of the unexpired term, if any, at the
19 succeeding spring election. If the vacancy occurs in any year after December 1 or on
20 or before the first Tuesday in April, the vacancy shall be filled for the residue of the
21 unexpired term, if any, at the 2nd succeeding spring election.

22 **SECTION 67.** 38.04 (15) of the statutes is repealed.

23 **SECTION 68.** 38.06 (6) of the statutes is created to read:

24 38.06 (6) Promptly upon issuance of a reorganization order by the board, the
25 director of the board shall transmit a copy of the order to the elections board.

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1 **SECTION 69.** 38.08 (1) (a) of the statutes is repealed and recreated to read:

2 38.08 (1) (a) A district board shall administer the district and shall be composed
3 of 9 members who are residents of the district. The members shall be elected to
4 represent numbered election districts within each technical college district by the
5 electors of each election district at the spring election. Each member of the district
6 board shall be an elector of the numbered election district within the technical college
7 district for which he or she seeks office.

8 **SECTION 70.** 38.08 (1) (b) of the statutes is amended to read:

9 38.08 (1) (b) District board members shall take office on July 1 and shall serve
10 ~~staggered 3-year~~ 4-year terms.

11 **SECTION 71.** 38.08 (1) (c) of the statutes is created to read:

12 38.08 (1) (c) Promptly upon receipt of the determinations of the elections board
13 under s. 7.70 (6) and upon appointment of any person to fill a temporary vacancy on
14 the district board, the secretary of the district board shall send written notification
15 of the name and address of each member and expiration date of each member's term
16 to the director of the board.

17 **SECTION 72.** 38.08 (1g), (2) and (2m) of the statutes are repealed.

18 **SECTION 73.** 38.08 (6) of the statutes is created to read:

19 38.08 (6) (a) Within 90 days after the population count by block, established
20 in the decennial federal census of population, and maps showing the location and
21 numbering of census blocks become available in printed form from the federal
22 government or are published for distribution by an agency of this state or within 90
23 days after alteration of the boundaries of an existing district, the district board of
24 each existing district shall apportion and prescribe the boundaries of 9 numbered
25 election districts within the district, to be as nearly equal in population as possible.

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1 Within 90 days after the creation of any new district, the board shall similarly
2 apportion and prescribe the boundaries of 9 numbered election districts within that
3 district. Alterations in election districts resulting from boundary changes to existing
4 districts may be made only to the extent required to facilitate the change. Insofar
5 as possible, each election district shall be compact and observe the community of
6 interest of existing neighborhoods. A detailed map and description of each election
7 district prescribed by a district board shall be prepared and transmitted by the
8 district board to the director of the board.

9 (b) All proposed district boundaries established by a district board under par.
10 (a) shall become effective only upon their approval by the board. If the board
11 disapproves the proposed boundaries, the district board shall submit a revised
12 districting plan for approval of the board. Upon approval of the election district
13 boundaries within any district, the board shall promulgate the boundaries
14 established under par. (a) as a rule under ch. 227. The boundaries shall become
15 effective on the effective date of the rule.

16 **SECTION 74.** 38.10 of the statutes is repealed.

17 **SECTION 75.** 60.72 (8) (a) of the statutes is amended to read:

18 60.72 (8) (a) After a town sanitary district has been established under sub. (6)
19 or (7), the town board shall appoint ~~or provide for the election of~~ the initial
20 ~~commissioners or constitute itself as the commission under s. 60.74~~ within 60 days
21 after the expiration of the review period under s. 60.73, if no appeal is filed, or within
22 60 days after the department's order is affirmed in a proceeding under s. 60.73. If
23 the town board does not appoint ~~or provide for the election of~~ the initial
24 ~~commissioners or constitute itself as the commission,~~ the department shall appoint,
25 ~~for 2-year terms,~~ 3 commissioners who meet the residence and property-ownership

1 requirements of s. 60.75 (3). The initial appointed commissioners shall serve for the
2 term prescribed under s. 60.74 (3).

3 **SECTION 76.** 60.72 (8) (b) of the statutes is repealed.

4 **SECTION 77.** 60.72 (8) (d) of the statutes is amended to read:

5 60.72 (8) (d) The department shall file notice of ~~all~~ appointments the
6 appointment of the initial commissioners with the town clerk in each town in which
7 the district is located.

8 **SECTION 78.** 60.74 (1) of the statutes is repealed.

9 **SECTION 79.** 60.74 (2) of the statutes is repealed.

10 **SECTION 80.** 60.74 (3) (a) of the statutes is renumbered 60.74 (3) and amended
11 to read:

12 60.74 (3) ELECTION OF COMMISSIONERS. ~~If the town board provides for the~~
13 ~~election of commissioners, the~~ Upon creation of a district, the town board shall either
14 schedule the first election of ~~the first~~ commissioners at the next regular spring
15 election that follows the first November 15 that occurs after the district is created or
16 call a special election. If the town board schedules the first election of ~~the first~~
17 commissioners at the ~~next regular~~ spring election, the town board shall appoint
18 commissioners, ~~within the time limits specified in sub. (1) or (2),~~ to serve until the
19 3rd Monday of April in the year when the ~~next regular spring~~ election is held.

20 **SECTION 81.** 60.74 (3) (b) of the statutes is repealed.

21 **SECTION 82.** 60.74 (4) of the statutes is repealed.

22 **SECTION 83.** 60.74 (5) of the statutes is repealed.

23 **SECTION 84.** 60.74 (5m) of the statutes is repealed.

24 **SECTION 85.** 60.74 (6) of the statutes is repealed.

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1 **SECTION 86.** 60.75 (1) (a) of the statutes is renumbered 60.75 (1) and amended
2 to read:

3 **60.75 (1) NUMBER OF COMMISSIONERS.** ~~Except as provided in par. (b), the~~ The
4 commission shall consist of 3 members.

5 **SECTION 87.** 60.75 (1) (b) of the statutes is repealed.

6 **SECTION 88.** 60.75 (2) (a) of the statutes is amended to read:

7 **60.75 (2) (a)** Except as provided in ~~pars. par. (b) and (e),~~ commissioners shall
8 serve for staggered 6-year terms.

9 **SECTION 89.** 60.75 (2) (b) of the statutes is amended to read:

10 **60.75 (2) (b)** ~~Except as provided under par. (e), of~~ Of the commissioners first
11 appointed or elected in a newly established town sanitary district, one shall be
12 appointed or elected for a term of 2 years, one for a term of 4 years and one for a term
13 of 6 years. If the commissioners first elected in a newly established town sanitary
14 district are elected at a special election, the town board shall specify shorter
15 staggered terms for the commissioners so that their successors may be elected at a
16 regular spring election.

17 **SECTION 90.** 60.75 (2) (c) of the statutes is repealed.

18 **SECTION 91.** 60.75 (2) (d) of the statutes is amended to read:

19 **60.75 (2) (d)** ~~An elected~~ A commissioner shall hold office until the 3rd Monday
20 of April in the year that his or her successor is elected. ~~An appointed commissioner~~
21 ~~shall hold office until a successor takes office.~~

22 **SECTION 92.** 60.75 (3) (a) of the statutes is amended to read:

23 **60.75 (3) (a)** Except as provided in par. (b) ~~or (e),~~ all commissioners shall be
24 residents of the town sanitary district.

25 **SECTION 93.** 60.75 (3) (b) of the statutes is amended to read:

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1 60.75 (3) (b) ~~If commissioners are elected or appointed and if the sanitary~~
2 district is composed primarily of summer resort property, at least one of the
3 commissioners shall be a resident of the district. Any commissioner who is not a
4 resident shall own property within the town sanitary district. If the commissioners
5 are not all required to be residents of the district, the commission shall designate one
6 or 2 seats as resident commissioners. No person is qualified to hold the seat of a
7 resident commissioner who is not a resident of the sanitary district.

8 **SECTION 94.** 60.75 (3) (c) of the statutes is repealed.

9 **SECTION 95.** 60.75 (4) of the statutes is amended to read:

10 60.75 (4) VACANCIES. Any vacancy on an ~~elective or appointive~~ a commission
11 may be filled by appointment by the town board for the remainder of the unexpired
12 term. ~~Any vacancy on a commission consisting of town board supervisors remains~~
13 ~~vacant until a successor town board supervisor is appointed or elected.~~

14 **SECTION 96.** 60.76 (1) (a) of the statutes is renumbered 60.76 (1) and amended
15 to read:

16 60.76 (1) ELECTION OF OFFICERS. ~~Except as provided in par. (b), the~~ The
17 commission shall organize by electing one of its members president and appointing
18 a secretary and treasurer.

19 **SECTION 97.** 60.76 (1) (b) of the statutes is repealed.

20 **SECTION 98.** 60.785 (2) (b) of the statutes is amended to read:

21 60.785 (2) (b) Within 60 days after the referendum, the appropriate town board
22 shall ~~appoint or provide for the~~ initial election of commissioners ~~or constitute itself~~
23 ~~as the commission~~ for the consolidated district, as provided in s. 60.74.

24 **SECTION 99.** 66.0217 (10) (b) of the statutes is renumbered 66.0217 (10) (b)
25 (intro.) and amended to read:

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1 66.0217 (10) (b) (intro.) For purposes of this section, if a number of electors
2 cannot be determined on the basis of reported election statistics, the number shall
3 be determined ~~in accordance with s. 60.74 (6).~~ as follows:

4 **SECTION 100.** 66.0217 (10) (b) 1. to 3. of the statutes are created to read:

5 66.0217 (10) (b) 1. The area of the territory in square miles shall be divided by
6 the area, in square miles, of the municipality in which it lies.

7 2. The vote for governor at the last general election in the municipality within
8 which the territory lies shall be multiplied by the quotient determined under subd.
9 1.

10 3. If a territory lies in more than one municipality, the method of determination
11 under subds. 1. and 2. shall be used for each part of the territory which constitutes
12 only a fractional part of any area for which election statistics are available.

13 **SECTION 101.** 66.0219 (2) (a) of the statutes is amended to read:

14 66.0219 (2) (a) If, prior to the date set for hearing upon an application filed
15 under sub. (1) (b), there is filed with the court a petition signed by a number of
16 qualified electors residing in the territory equal to at least a majority of the votes cast
17 for governor in the territory at the last gubernatorial election or the owners of more
18 than one-half of the real property in assessed value in the territory, protesting
19 against the annexation of the territory, the court shall deny the application for an
20 annexation referendum. If a number of electors cannot be determined on the basis
21 of reported election statistics, the number shall be determined in accordance with s.
22 ~~60.74 (6)~~ 66.0217 (10) (b).

23 **SECTION 102.** 66.0227 (3) of the statutes is amended to read:

24 66.0227 (3) The governing body of a city, village or town involved may, or if a
25 petition conforming to the requirements of s. 8.40 signed by a number of qualified

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1 electors equal to at least 5% of the votes cast for governor in the city, village or town
2 at the last gubernatorial election, demanding a referendum, is presented to it within
3 30 days after the passage of either of the ordinances under sub. (2) shall, submit the
4 question to the electors of the city, village or town whose electors petitioned for
5 detachment, at a referendum election called for that purpose not less than 42 days
6 nor more than 72 days after the filing of the petition, or after the enactment of either
7 ordinance. The petition shall be filed as provided in s. 8.37. If a number of electors
8 cannot be determined on the basis of reported election statistics, the number shall
9 be determined in accordance with s. ~~60.74 (6)~~ 66.0217 (10) (b). The governing body
10 of the municipality shall appoint 3 election inspectors who are resident electors to
11 supervise the referendum. The ballots shall contain the words “For Detachment”
12 and “Against Detachment”. The inspectors shall certify the results of the election by
13 their attached affidavits and file a copy with the clerk of each town, village or city
14 involved, and none of the ordinances may take effect nor be in force unless a majority
15 of the electors approve the question. The referendum election shall be conducted in
16 accordance with chs. 6 and 7 to the extent applicable.

17 **SECTION 103.** 67.05 (5) (a) of the statutes is amended to read:

18 67.05 (5) (a) Whenever an initial resolution has been so adopted by the
19 governing body of a town, the clerk of the municipality shall immediately record the
20 resolution and call a special election for the purpose of submitting the resolution to
21 the electors of the municipality for approval. This paragraph does not apply to bonds
22 issued to finance low-interest mortgage loans under s. 62.237, unless a number of
23 electors equal to at least 15% of the votes cast for governor at the last general election
24 in their town sign and file a petition conforming to the requirements of s. 8.40 with
25 the town clerk requesting submission of the resolution. Whenever a number of

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1 electors cannot be determined on the basis of reported statistics, the number shall
2 be determined in accordance with s. ~~60.74 (6)~~ 66.0217 (10) (b). If a petition is filed,
3 the question submitted shall be whether the resolution shall or shall not be
4 approved. This paragraph is limited in its scope by sub. (7).

5 **SECTION 104.** 67.05 (7) (b) of the statutes is amended to read:

6 67.05 (7) (b) An initial resolution adopted by the governing body of a city for
7 an issue of bonds for purposes specifically enumerated in sub. (5) need not be
8 submitted to the electors under sub. (5) unless, within 30 days after the adoption
9 thereof, a petition conforming to the requirements of s. 8.40 requesting such
10 submission, signed by electors numbering at least 10% of the votes cast for governor
11 in the city at the last general election, is filed in the office of the city clerk. Whenever
12 a number of electors cannot be determined on the basis of reported statistics, the
13 number shall be determined in accordance with s. ~~60.74 (6)~~ 66.0217 (10) (b). Any
14 initial resolution may, in the discretion of the governing body, by separate recorded
15 resolution, be submitted to popular vote without a petition.

16 **SECTION 105.** 67.05 (7) (e) of the statutes is amended to read:

17 67.05 (7) (e) An initial resolution adopted by the governing body of a city or
18 village for an issue of bonds to create a revolving fund out of which to advance the
19 cost of any work for which special assessments may be levied, in anticipation of the
20 collection by the city or village treasurer of the special assessments, special
21 improvement certificates and improvement bonds, made or issued for the cost
22 thereof, need not be submitted to the electors under sub. (5) unless, within 30 days
23 after the adoption thereof, a petition conforming to the requirements of s. 8.40
24 requesting such submission, signed by electors numbering at least 10% of the votes
25 cast for governor in the city or village at the last general election, is filed in the office

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1 of the city or village clerk. Whenever a number of electors cannot be determined on
2 the basis of reported statistics, the number shall be determined in accordance with
3 s. ~~60.74 (6)~~ 66.0217 (10) (b). If such petition is filed, proceedings shall be had under
4 sub. (5). Any such resolution may, in the discretion of the governing body, by separate
5 recorded resolution, be submitted to popular vote without the filing of a petition.

6 **SECTION 106.** 200.09 (1) of the statutes is amended to read:

7 200.09 (1) A district formed under this subchapter shall be governed by a
8 5-member commission ~~appointed~~ elected for staggered 5-year terms. ~~Except as~~
9 ~~provided in sub. (11), except that upon creation of a district, the initial~~ commissioners
10 shall be appointed jointly by the ~~county board of the county in which the district is~~
11 ~~located. If the district contains territory of more than one county, the county boards~~
12 ~~of the counties not having the greatest population in the district shall appoint one~~
13 ~~commissioner each and the county board of the county having the greatest~~
14 ~~population in the district shall appoint the remainder. Of the initial appointments,~~
15 ~~the appointments for the shortest terms shall be made by the counties having the~~
16 ~~least amount of population, in reverse order of their population included in the~~
17 ~~district governing body or bodies of each city, village, and town whose territory is~~
18 included within the district. The initial appointees shall serve for a term expiring
19 on the 4th Monday of April of the 2nd year beginning after their appointment.
20 Commissioners shall be residents of the district. Initial appointments shall be made
21 no sooner than 60 days and no later than 90 days after issuance of the department
22 order forming a district or after completion of any court proceedings challenging such
23 order. A per diem compensation not to exceed \$50 may be paid to commissioners.
24 Commissioners may be reimbursed for actual expenses incurred as commissioners
25 in carrying out the work of the commission.

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1 **SECTION 107.** 200.09 (9) of the statutes is repealed.

2 **SECTION 108.** 200.09 (11) of the statutes is repealed.

3 **SECTION 109.** 200.09 (11) (a) of the statutes is repealed.

4 **SECTION 110.** 200.09 (11) (am) 1. of the statutes is renumbered 200.09 (11) and
5 amended to read:

6 200.09 (11) ~~If the governing bodies of each city, town and village comprising a~~
7 ~~district pass a resolution authorizing the election of commissioners to terms~~
8 ~~succeeding the initial appointments, commissioners~~ Commissioners shall be chosen
9 ~~to fill vacant seats elected by the electors of the district at large at the spring~~
10 ~~elections, as defined in s. 5.02 (21), of the district at large election. Of the~~
11 ~~commissioners who are initially elected, one shall be chosen for a term of one year;~~
12 ~~one shall be chosen for a term of 2 years; one shall be chosen for a term of 3 years;~~
13 ~~one shall be chosen for a term of 4 years; and one shall be chosen for a term of 5 years.~~

14 Each commissioner may hold office until a successor is elected and qualified, except
15 as provided in s. 17.27 (1m). Any commissioner elected for a regular or unexpired
16 term shall take office after filing the official oath on the 4th Monday in April.

17 **SECTION 111.** 200.09 (11) (am) 2. and 3. of the statutes, as affected by 2007
18 Wisconsin Act 1, are repealed.

19 **SECTION 112.** 200.09 (11) (b) of the statutes is repealed.

20 **SECTION 113.** 200.11 (9) of the statutes is amended to read:

21 200.11 (9) EXTRATERRITORIAL SERVICE BY CONTRACT. A district may provide
22 service to territory outside the district, including territory in a county not in that
23 district, under s. 66.0301, subject to ss. 200.01 to 200.15 and 200.45, ~~except that s.~~
24 ~~200.09 (1) does not require the appointment of a commissioner from that territory.~~

25 **SECTION 114.** 200.15 (4) of the statutes is repealed.

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1 **SECTION 115.** 200.23 (2) of the statutes is repealed and recreated to read:

2 200.23 (2) COMPOSITION OF THE COMMISSION. (a) The commission is composed
3 of 11 members who are elected from 11 subdistricts within the district.

4 (b) Each commissioner shall be a resident of the subdistrict from which he or
5 she is elected. A commissioner who ceases to reside in the subdistrict from which he
6 or she was elected vacates his or her office.

7 (c) Commissioners shall be nominated by nomination papers. Candidates for
8 the office of commissioner shall specify on their nomination papers the subdistrict
9 number from which they seek office. The terms of commissioners shall be 2 years,
10 beginning on the 2nd Tuesday in July following their election, except that the terms
11 of the members who are initially elected to office representing even-numbered
12 subdistricts shall expire on the the 2nd Tuesday in July of the first even-numbered
13 year following their election, and the terms of the members who are initially elected
14 to office representing odd-numbered subdistricts shall expire on the 2nd Tuesday of
15 July of the first odd-numbered year following their election.

16 (d) Commissioners may be removed from office, for cause, as provided in s.
17 17.13 (3) and may be recalled under s. 9.10. Vacancies in the office of commissioner
18 shall be filled as provided in s. 17.27 (1g).

19 (e) No later than 5 p.m. on the 2nd Tuesday in January, the secretary of the
20 district shall certify to the county clerk or board of election commissioners of each
21 county in which the district is contained the names of candidates who have filed valid
22 nomination papers for the office of commissioner and who are eligible to have their
23 names appear on the ballot under s. 8.30. If any municipality contained within the
24 district prepares its own ballots under s. 7.15 (2) (c), the secretary shall also certify
25 the names of candidates to the municipal clerk or board of election commissioners

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1 of that municipality. In making these certifications, the secretary shall designate the
2 form of each candidate's name to appear on the ballot in the manner prescribed under
3 s 7.08 (2) (a). If a primary is held for the office of commissioner within any subdistrict
4 of the district, the secretary shall similarly certify the names of the candidates who
5 have won nomination to the office of commissioner and who are eligible to have their
6 names appear on the ballot in the manner prescribed in s. 7.08 (2) (a). The secretary
7 shall furnish one copy of the type A notice under s. 10.01 (2) (a) to each clerk or board
8 of election commissioners to whom a certification is required. If paper ballots are
9 used at a district election, the secretary shall provide each municipal clerk or board
10 of election commissioners with an adequate supply of ballots for the election at least
11 22 days before the election. The secretary shall issue certificates of election to
12 persons who are elected to the office of commissioner after each election in the
13 manner provided under s. 7.53 (4).

14 **SECTION 116.** 200.25 (1) to (4) of the statutes are repealed.

15 **SECTION 117.** 200.25 (7) (a) of the statutes is repealed and recreated to read:

16 200.25 (7) (a) Within 60 days after the municipal governing body of each
17 municipality that is wholly or partly contained within the district enacts an
18 ordinance or resolution under s. 5.15 dividing the municipality into wards, if the
19 municipality is required to do so, or otherwise within 60 days after the population
20 count by block, established in the federal decennial census of population, and maps
21 showing the location and numbering of census blocks become available in printed
22 form from the federal government or are published for distribution by an agency of
23 this state, the commission shall, by a majority vote of the members of the
24 commission, adopt a revised plan for the apportionment of subdistricts within the
25 district. The subdistricts under the plan shall be assigned consecutive whole

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1 numbers beginning with the number one. Each subdistrict under the plan shall
2 consist of contiguous whole wards or municipalities and shall be equal in population
3 insofar as practicable. For purposes of this paragraph, "island territory," as defined
4 in s. 5.15 (2) (f) 3., shall be considered contiguous to the other parts of the
5 municipality to which it belongs. In developing the plan, the commission shall give
6 due consideration to maintaining the compactness of subdistricts, maintaining the
7 integrity of counties and municipalities within subdistricts, maintaining
8 communities of interest within subdistricts, and fostering politically competitive
9 subdistricts. The secretary of the commission shall certify and record an official copy
10 of the plan in the office of the district. The plan shall be effective until the commission
11 adopts a revised plan under this subsection following the next federal decennial
12 census, unless otherwise ordered by a court under par. (b).

13 **SECTION 118.** 200.25 (8) of the statutes is repealed.

14 **SECTION 119.** 200.27 (1) of the statutes is amended to read:

15 200.27 (1) QUORUM. Six commissioners constitute a quorum for the transaction
16 of business. ~~If after reapportionment under s. 200.25 (7) the number of~~
17 ~~commissioners is increased to 12 or 13, 7 commissioners constitute a quorum. If after~~
18 ~~reapportionment under s. 200.25 (7) the number of commissioners is reduced to 9 or~~
19 ~~10, 5 commissioners constitute a quorum.~~

20 **SECTION 120.** 200.27 (3) of the statutes is amended to read:

21 200.27 (3) CHAIRPERSON. The At a commission's first meeting after an election
22 of commissioners the terms of whom begin on the 2nd Tuesday in July, the
23 commission shall elect one commissioner as chairperson of the commission, for a
24 one-year term specified by rule by the commission. The term shall begin on the date
25 the chairperson is elected and shall end one year later, except that if a successor has

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1 not been elected by the end of the chairperson's term, the term shall end on the date
2 on which a successor is elected. The chairperson is removable at pleasure by a
3 majority vote of the members of the commission if a quorum is present at the meeting
4 at which the vote occurs. The chairperson shall preside over the meetings of the
5 commission and shall perform other duties imposed upon the chairperson by this
6 subchapter or assigned by the commission. The commission may also appoint a vice
7 chairperson who may exercise the powers and shall perform the duties of the
8 chairperson in the absence or disability of the chairperson.

9 **SECTION 121.** 229.42 (3) of the statutes is amended to read:

10 229.42 (3) The district shall be governed by its board of directors ~~and, except~~
11 ~~for the 3rd member described under sub. (4) (d) who is either a chief executive officer~~
12 ~~of a municipality or a resident of the district, which shall be elected at large by the~~
13 electors of the district at the spring election to serve for terms of 3 years, except as
14 provided in sub. (7). All board members shall be residents of the district. Board
15 members shall take office on the 4th Tuesday of April. The members who are initially
16 appointed to serve as the board of directors under sub. (7) may not act until all of the
17 persons appointed to its board are certified under s. 229.435. The board of directors
18 shall adopt bylaws to govern the district's activities, subject to this subchapter.

19 **SECTION 122.** 229.42 (4) (intro.) of the statutes is renumbered 229.42 (4) and
20 amended to read:

21 229.42 (4) If the sole sponsoring municipality is a 1st class city, the board of
22 directors shall consist of 15 members, ~~who shall be qualified and appointed, subject~~
23 ~~to sub. (7) (b), as follows:~~

24 **SECTION 123.** 229.42 (4) (a) to (f) of the statutes are repealed.

25 **SECTION 124.** 229.42 (5) of the statutes is amended to read:

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1 229.42 (5) (a) If a district has 2 or more sponsoring municipalities, one of which
2 is a 1st class city, the board of directors shall consist of 8 members appointed by the
3 ~~chief executive officers of the sponsoring municipalities. The allocation of~~
4 ~~appointments by the chief executive officers and the expiration dates of the terms of~~
5 ~~office shall be specified in the enabling resolutions. The directors shall be subject to~~
6 ~~sub. (7) (a).~~

7 (b) If a district has 2 or more sponsoring municipalities, none of which is a 1st
8 class city, the board of directors shall consist of 6 members appointed by the chief
9 ~~executive officer of each sponsoring municipality. The allocation of appointments by~~
10 ~~the chief executive officers and the expiration dates of the terms of office shall be~~
11 ~~specified in the enabling resolutions. The directors shall be subject to sub. (7) (a).~~

12 **SECTION 125.** 229.42 (6) of the statutes is amended to read:

13 229.42 (6) If the sole sponsoring municipality is not a 1st class city, the board
14 of directors shall consist of 6 members, ~~all of whom shall reside in the area of the~~
15 ~~district's jurisdiction and shall be appointed by the sponsoring municipality's chief~~
16 ~~executive officer, subject to sub. (7) (a). The expiration dates of the members' terms~~
17 ~~of office shall be specified in the enabling resolution. Three of the directors shall be~~
18 ~~elected or appointed public officials of the sponsoring municipality, one shall own,~~
19 ~~operate or manage an enterprise that is located within the district's jurisdiction and~~
20 ~~that has a significant involvement with the hotel, motel and lodging industry, one~~
21 ~~shall own, operate or manage an enterprise that is located within the district's~~
22 ~~jurisdiction and that has a significant involvement with the food and beverage~~
23 ~~industry and one shall be an at-large appointment who is an employee or officer of~~
24 ~~a private sector entity.~~

25 **SECTION 126.** 229.42 (7) (a) of the statutes is amended to read:

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1 229.42 (7) (a) ~~Appointments~~ Initial appointments or appointments to fill
2 vacancies in the membership of the board of directors by the chief executive officer
3 ~~under subs. (5) and (6) of a sponsoring municipality~~ shall be subject to confirmation
4 by the governing body of the sponsoring municipality. ~~The terms of office of the public~~
5 ~~sector members of the board of directors shall be 3 years and shall expire upon the~~
6 ~~earlier of a date specified in the enabling resolution or the expiration of their~~
7 ~~respective terms of public office. The terms of office of the members who are officers~~
8 ~~or employees of a private sector entity shall be 3 years, except that for the initial~~
9 ~~appointments for or, if there is more than one sponsoring municipality, by the~~
10 ~~governing body of each sponsoring municipality. In a newly created district, the~~
11 ~~initial members shall be appointed by the chief executive officer of the sponsoring~~
12 ~~municipality or, if there is more than one sponsoring municipality, by a committee~~
13 ~~consisting of the chief executive officers of the sponsoring municipalities. Of the~~
14 ~~members of the board of directors who are initially elected to office, the secretary of~~
15 ~~the district shall designate, no later than November 15 preceding the date of the~~
16 ~~spring election at which members of the board of directors are initially elected,~~
17 ~~one-third of the appointments of such members shall to be elected for one-year terms~~
18 ~~expiring on the 4th Tuesday of April of the 3rd year beginning after the date of~~
19 ~~creation of the district, one-third shall to be elected for 2-years terms expiring on the~~
20 ~~4th Tuesday of April of the 4th year beginning after the year in which the district is~~
21 ~~created, and one-third shall to be elected for 3-years terms expiring on the 4th~~
22 ~~Tuesday of April of the 5th year beginning after the year in which the district is~~
23 ~~created. If the number of members who are officers or employees of a private sector~~
24 ~~entity of the board of directors is not divisible by 3, for the initial appointments of~~
25 ~~such members for a newly created district, the secretary of the district shall~~

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1 designate, no later than November 15 preceding the date of the spring election at
2 which district board members are initially elected approximately one-third of the
3 ~~appointments shall~~ members to be for one year elected for terms expiring on the 4th
4 Tuesday of April of the 3rd year beginning after creation of the district,
5 approximately one-third shall ~~of the members to be for 2 years~~ elected for terms
6 expiring on the 4th Tuesday of April of the 4th year beginning after creation of the
7 district, and approximately one-third shall ~~of the members to be for 3 years.~~ No
8 ~~members who are officers or employees of a private sector entity may serve more than~~
9 ~~2 consecutive full terms. Members may be removed from the board of directors prior~~
10 ~~to the expiration of their terms only by the chief executive officer and only for~~
11 ~~malfeasance or nonfeasance in office~~ elected for terms expiring on the 4th Tuesday
12 of April of the 5th year beginning after creation of the district.

13 **SECTION 127.** 229.42 (7) (b) 1. of the statutes is renumbered 229.42 (7) (b) and
14 amended to read:

15 229.42 (7) (b) Subject to ~~subds. 2. and 3.,~~ the The terms of office of the
16 individuals who are initially appointed to serve as members of the board shall be ~~3~~
17 ~~years,~~ except that for the initial appointments for of directors in a newly created
18 district, as specified in the enabling resolution, ~~4 of the appointments shall be for one~~
19 ~~year, 4 appointments, including the 3 members appointed under sub. (4) (d), shall be~~
20 ~~for 2 years and 4 appointments shall be for 3 years.~~ The cochairpersons of the joint
21 committee on finance or their designees shall serve on the board for a term that is
22 concurrent with their terms in office and the comptroller's appointment shall be for
23 ~~the comptroller's tenure in his or her position~~ expire on the 4th Tuesday of April of
24 the 2nd year beginning after the year in which the district is created.

25 **SECTION 128.** 229.42 (7) (b) 2. and 3. of the statutes are repealed.

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1 **SECTION 129.** 229.42 (7) (c) of the statutes is created to read:

2 229.42 (7) (c) Vacancies in the membership of the board of directors may be
3 filled for the residue of the unexpired term by appointment of the chief executive
4 officer of the sponsoring municipality, or if there is more than one sponsoring
5 municipality, by a committee consisting of the chief executive officers of each
6 sponsoring municipality, subject to confirmation under par. (a).

7 **SECTION 130.** 229.435 of the statutes is amended to read:

8 **229.435 Certification of names of initial board members.** Within 30 days
9 after a sponsoring municipality files an enabling resolution under s. 229.42 (1) (b),
10 ~~each person who may appoint members to a board of directors under s. 229.42 (4),~~
11 ~~(5) or (6) the clerk of the sponsoring municipality, or if there is more than one~~
12 ~~sponsoring municipality, the clerk of each sponsoring municipality~~ shall certify to
13 the department of administration the names of the persons who are initially
14 appointed to serve as members of the board of directors under s. 229.42 (5) or (6) or,
15 if the sole sponsoring municipality is a 1st class city, the names of the persons
16 appointed to the board of directors under s. 229.42 (4).

17 **SECTION 131.** 229.822 (2) (intro.) of the statutes is renumbered 229.822 (2) and
18 amended to read:

19 229.822 (2) A district is governed by its district board. ~~Subject to sub. (3), the~~
20 ~~district board shall consist of the following members who shall be appointed not later~~
21 ~~than 30 days after the creation of a district: The district board shall consist of 8~~
22 ~~members, who shall be elected at large by the electors of the district at the spring~~
23 ~~election to serve for terms of 2 years, except as provided in sub. (3). All board~~
24 ~~members shall be residents of the district. District board members shall take office~~
25 ~~on July 1.~~

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1 **SECTION 132.** 229.822 (2) (a) to (c) of the statutes are repealed.

2 **SECTION 133.** 229.822 (3) of the statutes is amended to read:

3 229.822 (3) Upon creation of a district, the initial district board members shall
4 be appointed jointly by a committee consisting of the chief elected officials of the city
5 and county in which the football stadium is located and the chief elected official of
6 any municipality that has a boundary at the time of creation of the district that is
7 contiguous to a boundary of the site of the football stadium. The initial district board
8 members shall be appointed not later than 30 days after the creation of a district.
9 Upon making an appointment under sub. (2), the appointing authorities committee
10 shall certify the appointees name of each appointee to the secretary of
11 administration. The terms of office of the persons appointed under sub. (2) shall be
12 2 years expiring on July 1, except that the initial terms shall expire on July 1 of the
13 4th year beginning after the year of creation of a district. Persons appointed under
14 sub. (2) serve at the pleasure of their appointing authorities, and may be removed
15 before the expiration of their terms. The terms of office of the district board members
16 who are initially appointed to office shall expire on July 1 of the 2nd year beginning
17 after the year in which the district is created. Vacancies shall in the membership of
18 the district board may be filled by the appointing authority who appointed the person
19 whose office is vacant. A person appointed to fill a vacancy under sub. (2) shall serve
20 for the remainder of the unexpired term to which he or she is appointed unless
21 removed at an earlier time. The appointing authorities shall confer with one another
22 regarding their appointments with a view toward achieving diversity on the district
23 board for the residue of the unexpired term in the same manner as initial
24 appointments are made. Of the district board members who are initially elected to
25 office, the secretary of the district shall designate, no later than November 15

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1 preceding the date of the spring election at which district board members are initially
2 elected, 4 to serve for terms expiring on July 1 of the 3rd year beginning after the year
3 in which the district is created and 4 to serve for terms expiring on July 1 of the 4th
4 year beginning after the year in which the district is created.

5 **SECTION 134.** 229.822 (6) of the statutes is amended to read:

6 229.822 (6) Upon the appointment and qualification of a majority of the
7 members of ~~a~~ the district board in a newly created district, the district board may
8 exercise the powers and duties of a district board under this subchapter.

9 **SECTION 135.** 229.842 (1) (b) of the statutes is amended to read:

10 229.842 (1) (b) The sponsoring city's common council adopts a resolution that
11 approves the mayor's proclamation, and delivers a copy of the resolution to the
12 governor. ~~The resolution under this paragraph may contain a procedure that the~~
13 ~~mayor must follow in appointing persons to the board under sub. (2) (c).~~

14 **SECTION 136.** 229.842 (2) (intro.) of the statutes is renumbered 229.842 (2) and
15 amended to read:

16 229.842 (2) A district is governed by its district board. ~~If the sponsoring city is~~
17 ~~a 1st class city, sub. (4) applies but pars. (a) to (d) and sub. (3) do not apply and the~~
18 ~~1st class city's common council shall determine the membership, structure,~~
19 ~~qualifications and selection procedures for the district board. If the sponsoring city~~
20 ~~is not a 1st class city, the district board shall consist of the following members, subject~~
21 ~~to sub. (4): The district board shall consist of 13 members, who shall be elected at~~
22 ~~large by the electors of the district at the spring election to serve for terms of 4 years,~~
23 ~~except as provided in sub. (3). District board members shall take office on July 1.~~

24 **SECTION 137.** 229.842 (2) (a) to (d) of the statutes are repealed.

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1 **SECTION 138.** 229.842 (3) (a) (intro.) of the statutes is renumbered 229.842 (3)
2 (a) and amended to read:

3 229.842 (3) (a) ~~The persons~~ Upon creation of a district, the initial district board
4 members shall be jointly appointed under sub. (2) (b) to (d) shall serve staggered
5 terms of 4 years expiring on by a committee consisting of the governor, the mayor of
6 the sponsoring city, and the county executive or board chairperson of the county in
7 which the greatest portion of the population of the city is located. Upon making an
8 appointment, the committee shall certify the name of each appointee to the secretary
9 of administration. The terms of office of the district board members who are initially
10 appointed to office shall expire on July 1 of the 2nd year beginning after the year in
11 which the district is created. Of the district board members who are initially elected
12 to office, the secretary of the district shall designate, no later than November 15
13 preceding the date of the spring election at which district board members are initially
14 elected, 3 to serve for terms expiring on July 1, except that: of the 2nd year beginning
15 after the year in which the district is created, 3 to serve for terms expiring on July
16 1 of the 4th year beginning after the year in which the district is created, 3 to serve
17 for terms expiring on July 1 of the 5th year beginning after the year in which the
18 district is created, and 4 to serve for terms expiring on July 1 of the 6th year
19 beginning after the year in which the district is created.

20 **SECTION 139.** 229.842 (3) (a) 1. to 4. of the statutes are repealed.

21 **SECTION 140.** 229.842 (3) (b) of the statutes is repealed.

22 **SECTION 141.** 229.842 (3) (c) of the statutes is amended to read:

23 229.842 (3) (c) ~~Persons appointed under sub. (2) (b) to (d)~~ Each district board
24 member must have resided within 25 miles of the sponsoring city's city hall for at
25 least one year before their appointment. Persons appointed under sub. (2) (b) to (d)

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1 ~~may be removed from the district board before the expiration of their terms by the~~
2 ~~appointing authority but only for cause, as defined in s. 17.001 taking office.~~
3 ~~Vacancies shall in the membership of the district board may be filled by the~~
4 ~~appointing authority who appointed the person whose office is vacant in the same~~
5 ~~manner as initial appointments are made. A person appointed to fill a vacancy under~~
6 ~~sub. (2) (b) to (d) shall serve for the remainder of the unexpired term to which he or~~
7 ~~she is appointed. The appointing authorities shall confer with one another regarding~~
8 ~~their appointments with a view toward achieving diversity on the district board.~~

9 **SECTION 142.** 229.842 (4) of the statutes is repealed.

10 **SECTION 143.** 229.842 (7) of the statutes is amended to read:

11 229.842 (7) Upon the initial appointment and qualification of at least 7 of the
12 members of a district board, the district board may exercise the powers and duties
13 of a district board under this subchapter.

14 **SECTION 144. Nonstatutory provisions.**

15 (1) ELECTION OF INITIAL TECHNICAL COLLEGE DISTRICT BOARDS. Notwithstanding
16 section 38.08 (6) of the statutes, as created by this act, within 60 days after the
17 effective date of this subsection, the appointment committee of each technical college
18 district shall adopt and transmit to the secretary of each technical college district
19 board and the director of the state technical college system board an initial
20 districting plan for election districts as required by section 38.08 (6) of the statutes,
21 as created by this act. The state technical college system board shall review and
22 determine its approval or disapproval of each plan as promptly as possible. If a plan
23 is rejected, the appointment committee shall submit a new plan for approval.
24 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the state technical
25 college system board may promulgate the plan as an emergency rule under section

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1 227.24 of the statutes without providing evidence that promulgating a rule under
2 this subsection as an emergency rule is necessary for the preservation of the public
3 peace, health, safety, or welfare, and is not required to provide a finding of emergency
4 for a rule promulgated under this subsection. Notwithstanding section 227.24 (1) (c)
5 of the statutes, an emergency rule promulgated under this subsection applies until
6 a rule replacing that rule takes effect or until the actions specified in section 227.24
7 (1) (d) of the statutes occur, whichever is sooner. Notwithstanding section 227.19 (4)
8 to (6) of the statutes, the rule replacing a valid emergency rule adopted under this
9 subsection may not contain any substantive change from the emergency rule.

10 (2) TECHNICAL COLLEGE DISTRICT BOARDS; TRANSITIONAL TERMS. Notwithstanding
11 chapter 269, laws of 1981, section 22, and section 38.08 (1) (b) of the statutes, as
12 affected by this act, the members of each technical college district board who hold
13 office on the effective date of this subsection shall cease to hold office on July 1, 2009.
14 At the 2009 spring election, 9 members shall be elected to each technical college
15 district board for terms commencing on July 1, 2009. The persons elected to
16 represent election districts numbered 1 and 2 at that election shall serve for terms
17 of one year, the persons elected to represent election districts numbered 3 and 4 at
18 that election shall serve for terms of 2 years, the persons elected to represent election
19 districts numbered 5 and 6 at that election shall serve for terms of 3 years, and the
20 persons elected to represent election districts numbered 7, 8, and 9 at that election
21 shall serve for terms of 4 years.

22 (3) TECHNICAL COLLEGE DISTRICT BOARDS; VACANCIES. Notwithstanding section
23 38.10, 2003 stats., the appointment committee of each technical college district shall
24 not make any appointment to a technical college district board for the purpose of

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1 filling a vacancy resulting from expiration of a term of office after the effective date
2 of this subsection.

3 (4) METROPOLITAN SEWERAGE DISTRICT INITIAL APPORTIONMENT PLAN.

4 Notwithstanding section 200.25 (7) (a) of the statutes, as affected by this act, the
5 initial plan of apportionment of subdistricts within any metropolitan sewerage
6 district created under section 200.23, 2003 stats., that is in existence on the effective
7 date of this subsection shall be prescribed in accordance with this subsection. For
8 the purpose of implementing an initial plan of apportionment in any such district,
9 there is created a legislative special committee to be called the joint committee for
10 Milwaukee Metropolitan Sewerage District subdistricting. The committee shall
11 consist of 5 representatives to the assembly and 5 senators, with 4 members in each
12 house representing the majority party and one member in each house representing
13 the minority party. Members shall be appointed in the same manner as members of
14 standing committees are appointed in their respective houses. Each house shall
15 ensure that at least 3 of the members representing that house represent legislative
16 districts that include territory lying within the metropolitan sewerage district that
17 is being apportioned. The committee shall recommend an initial plan of
18 apportionment of the subdistricts within the metropolitan sewerage district in the
19 form of a bill which shall be introduced by the committee. The plan shall be based
20 upon the most recent federal decennial census of population on the effective date of
21 this subsection. In prescribing its recommended plan of apportionment, the
22 committee shall adhere to the same standards that are applicable to a metropolitan
23 sewerage commission in prescribing a plan of apportionment under section 200.25
24 (7) (a) of the statutes, as affected by this act. Each house of the legislature shall
25 consider the bill within 45 days of introduction. If the bill introduced by the

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1 committee is passed by the legislature but does not become law, the committee shall
2 recommend an alternative bill prescribing subdistricts within the metropolitan
3 sewerage district which shall be considered in a like manner. The committee ceases
4 to exist upon enactment of a bill recommended by the committee.

5 (5) METROPOLITAN SEWERAGE COMMISSION UNDER S. 200.23; TERM EXPIRATION.
6 Notwithstanding section 200.25 (1), 2003 stats., the terms of office of the members
7 of each metropolitan sewerage commission created under section 200.23, 2003 stats.,
8 that is in existence on the effective date of this subsection shall expire on the date
9 of commencement of the terms of office of their successors elected under section
10 200.23 (2) of the statutes, as affected by this act.

11 (6) OTHER METROPOLITAN SEWERAGE COMMISSIONS; INITIAL TERMS.
12 Notwithstanding section 200.09 (1) of the statutes, as affected by this act, the terms
13 of office of the commissioners of each metropolitan sewerage district organized under
14 subchapter I of chapter 200 of the statutes that is in existence on the effective date
15 of this subsection shall expire on the 4th Monday of April of 2009. At the 2009 spring
16 election in each such district, one commissioner shall be elected for a term expiring
17 on the 4th Monday of April 2010; one commissioner shall be elected for a term
18 expiring on the 4th Monday of April 2011; one commissioner shall be elected for a
19 term expiring on the 4th Monday of April 2012; one commissioner shall be elected
20 for a term expiring on the 4th Monday of April 2013; and one commissioner shall be
21 elected for a term expiring on the 4th Monday of April 2014.

22 (7) TOWN SANITARY DISTRICT COMMISSIONS; INITIAL TERMS. Notwithstanding
23 section 60.75 (2) of the statutes, as affected by this act, the terms of office of the
24 commissioners of each town sanitary district commission that is in existence on the
25 effective date of this subsection shall expire on the 3rd Monday of April of 2009. At

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1 the 2009 spring election in each such district, one commissioner shall be elected for
2 a term expiring on the 3rd Monday of April of 2011; one commissioner shall be elected
3 for a term expiring on the 3rd Monday of April of 2013; and one commissioner shall
4 be elected for a term expiring on the 3rd Monday of April of 2015.

5 (8) LOCAL EXPOSITION DISTRICT BOARDS OF DIRECTORS; INITIAL TERMS.
6 Notwithstanding section 229.42 (3) of the statutes, as affected by this act, the terms
7 of office of the members of the board of directors of each exposition district created
8 under subchapter II of chapter 229 of the statutes that is in existence on the effective
9 date of this subsection shall expire on the 4th Tuesday of April of 2009. At the 2009
10 spring election in each such district, the secretary of each such district shall, no later
11 than November 15 preceding the date of the election at which district board members
12 are initially elected, designate one-third, or if the number of board members is not
13 divisible by 3, approximately one-third of the board members to be elected for terms
14 expiring on the 4th Tuesday of April of 2010; one-third or approximately one-third
15 of the board members to be elected for terms expiring on the 4th Tuesday of April of
16 2011; and one-third or approximately one-third of the board members to be elected
17 for terms expiring on the 4th Tuesday of April of 2012.

18 (9) LOCAL PROFESSIONAL FOOTBALL STADIUM DISTRICT BOARD MEMBERS; INITIAL
19 TERMS. Notwithstanding section 229.822 (2) of the statutes, as affected by this act,
20 the terms of office of the members of the district board of each professional football
21 stadium district created under subchapter IV of chapter 229 of the statutes that is
22 in existence on the effective date of this subsection shall expire on July 1, 2009. At
23 the 2009 spring election in each such district, the secretary of the district shall
24 designate 4 of the district board members to be elected for terms expiring on July 1,

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1 2010 and 4 of the district board members to be elected for terms expiring on July 1,
2 2011.

3 (10) LOCAL CULTURAL ARTS DISTRICT BOARD MEMBERS; INITIAL TERMS.

4 Notwithstanding section 229.842 (2) of the statutes, as affected by this act, the terms
5 of office of the members of the district board of each cultural arts district created
6 under subchapter V of chapter 229 of the statutes that is in existence on the effective
7 date of this subsection shall expire on July 1, 2009. At the 2009 spring election in
8 each such district, the secretary of the district shall, no later than November 15
9 preceding the date of the election, designate 3 of the district board members to be
10 elected for terms expiring on July 1, 2010, 3 of the district board members to be
11 elected for terms expiring on July 1, 2011, 3 of the district board members to be
12 elected for terms expiring on July 1, 2012, and 4 of the district board members to be
13 elected for terms expiring on July 1, 2013.

14 (11) PROCESS FOR POPULAR ELECTION OF DISTRICT BOARD MEMBERS IN LOCAL
15 PROFESSIONAL BASEBALL PARK DISTRICTS.

16 (a) There is created a special committee for each local professional baseball
17 park district that is in existence on the effective date of this subsection. The
18 committee shall consist of the county executive of each county having territory
19 within the district on that date, or the chairperson of the county board of supervisors
20 if there is no executive. Within 30 days after the effective date of this subsection, the
21 county executive or board chairperson of the county within the district having the
22 largest population on the effective date of this subsection shall call an initial meeting
23 of the committee. At the initial meeting, the committee shall elect a chairperson, vice
24 chairperson, and secretary. The committee may call upon any county having
25 territory within the district to provide staffing assistance to the committee and may

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1 assess all counties having territory within the district for reasonable staffing costs
2 in a manner determined by the committee. Each county shall provide the assistance
3 requested and shall pay the assessments imposed.

4 (b) The special committee shall report to the 2009 legislature when it convenes,
5 in the same manner as provided in section 13.172 (2) of the statutes, concerning the
6 committee's recommendation for a process for popular election of the members of the
7 district board of the local professional baseball park district.

8 **SECTION 145. Effective dates.** This act takes effect on August 1, 2008, except
9 as follows:

10 (1) The treatment of sections 17.01 (10m), 17.02 (2), 17.17 (2), 17.27 (3), 38.04
11 (15), 38.08 (1) (a), (b), and (c), (1g), (2), (2m), and (6), and 38.10 of the statutes takes
12 effect on July 1, 2009.

13 (2) The treatment of sections 5.15 (1) (c) and (2) (f) 6., 5.58 (2m) (with respect
14 to the election of metropolitan sewerage commissioners in districts created under
15 section 200.23 of the statutes), 5.60 (4m), 7.10 (1) (a), 7.51 (3) (b) and (d), (4) (b), and
16 (5), 7.53 (3n), 7.60 (4) (a) (with respect to the election of metropolitan sewerage
17 commissioners in districts created under section 200.23 of the statutes) and (5) (a)
18 (with respect to the election of metropolitan sewerage commissioners in districts
19 created under section 200.23 of the statutes), 7.70 (3) (d) (with respect to the election
20 of metropolitan sewerage commissioners in districts created under section 200.23 of
21 the statutes), 8.10 (6) (f), 8.11 (2g) (a), 9.10 (1) (a) (with respect to the election of
22 metropolitan sewerage commissioners in districts created under section 200.23 of
23 the statutes), (2) (d), (3) (a) (with respect to the election of metropolitan sewerage
24 commissioners in districts created under section 200.23 of the statutes), (4) (a) (with
25 respect to the election of metropolitan sewerage commissioners in districts created

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1 under section 200.23 of the statutes) and (d) (with respect to the election of
2 metropolitan sewerage commissioners in districts created under section 200.23 of
3 the statutes), and (7) (with respect to the election of metropolitan sewerage
4 commissioners in districts created under section 200.23 of the statutes), 10.05, 11.02
5 (3) (with respect to the election of metropolitan sewerage commissioners in districts
6 created under section 200.23 of the statutes) and (9), 11.26 (1) (d) 2. and (2) (e) 2.,
7 11.31 (1) (g) 1. d., 17.01 (11n), 17.13 (intro.) and (3), 17.27 (1g) and (1m) (title), 200.23
8 (2), 200.25 (1) to (4), (7) (a), and (8), and 200.27 (1) and (3) of the statutes takes effect
9 on November 15 following the effective date of a plan of apportionment enacted in
10 the manner described under SECTION 144 (4) of this act.

11 (3) SECTION 144 (4), (5), (6), (7), (8), (10), and (11) of this act takes effect on the
12 day after publication.

13 (4) The treatment of sections 17.02 (5) and 17.17 (2m) of the statutes takes
14 effect on the 4th Monday of April 2009.

15 (END)